

Serial no.46.
September 25, 2020.
SG

CRM 7228 of 2020
with
CRAN 1 of 2020

In Re. An application for bail under Section 438 of the Code of Criminal Procedure in connection with Uluberia Police Station Case No.524 of 2016 dated 24.08.2016 under Sections 498A/306/304B/34 of the Indian Penal Code and Sections 3 and 4 of D.P. Act.

In the matter of: Mariam Begum @ Hafiza
Begum and anr
...petitioners.

Ms Juin Dutta Chakraborty
... for the petitioners.

Mr Saibal Bapuli
Mr Goutam Wilson
... for the State.

The petitioners undertake to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioners are the parents-in-law of the victim who succumbed to the burn injuries suffered by her.

Though the prayer was rejected twice before, the petitioners say that it has recently come to light that the writing which appears to be in the hand of the victim and purports to be a suicide note has been found by an expert to be in the handwriting of the victim herself. The petitioners also claim that the petitioners were earlier not in possession of the statements recorded at the time of the victim's

admission to the hospital to the effect that she had set herself on fire.

The State is represented.

Considering such material, which was not before the court when the prayer was last rejected in 2017, the petitioners are entitled to anticipatory bail.

In the event of arrest, the petitioners are directed to be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The petitioners will also abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7228 of 2020 and CRAN 1 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)

