

17.11.2020

ssd
18.

**CRM 7325 of 2020
with
CRAN 1 of 2020
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Pandabeswar P.S. Case No.24 of 2020 dated 23.03.2020 under Sections 498A/304B/302/34 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

And

In the matter of: **Bengi Ghosh @ Sonali Ghosh & ors.**

....Petitioners.

Mr. Kingsuk Mondal

...for the Petitioners.

Mr. S.S. Imam
Mr. Subrato Roy

...for the State.

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

The first petitioner is the mother of the husband of the deceased victim the other three petitioners are the aunts of such husband. The petitioners claim that they had no role to play in the unnatural death of the victim.

The State produces the case diary and says that there are several instances of the victim being beaten up before she was ultimately set ablaze. The State says that there are credible witness statements that the victim was tortured on her failure to get more money from her parents. The State refers to a dying declaration of

the victim where she names the second and third petitioners herein along with her husband as the persons who apparently poured kerosene on her and set her on fire.

Considering the material against the second and third petitioners, their prayer for anticipatory bail is rejected. However, the first and fourth petitioners are entitled to anticipatory bail in the event they are arrested.

Accordingly, in the event of arrest, the first and fourth petitioners will be enlarged on bail on furnishing security 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 first and fourth petitioners should abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7325 of 2020 along with the interim application therein stand disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)