

30.09.2020

Sl. No.26

Ct-11

BM

CRM 7334 of 2020

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I.A No.:CRAN/1/2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Asansol South Police Station case No.139 of 2020 dated 01.05.2020 under Sections 498A/302/120B of Indian Penal Code.

And

In the matter of : Amirik Noniya @ Amirak Nunia & Anr.

... Petitioners

Ms. Debapriya Samanta ... for the petitioners

Mr. Swapan Banerjee

Mr. Sima Biswas ... for the State

The learned advocate for the petitioner submits that the petitioner no.1 is the father in law and the petitioner no.2 is the mother in law of the deceased. Learned advocate for the petitioner further submits that although the case was registered under different set of sections, however, subsequently the charge sheet was submitted under Sections 498A/306 of the Indian Penal Code.

Learned advocate for the State opposes the prayer for bail but from the materials available points out that charge sheet has already been submitted. Having regard to the fact that charge sheet has already been submitted and the husband of the deceased was arrested and subsequently granted bail, we are of the opinion that the present stage of the case do not warrant custodial detention of the petitioner.

Accordingly, prayer for anticipatory bail is allowed.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties of like amount each, to the satisfaction of the arresting officer of the case.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being CRM 7334 of 2020 and I.A. No.: CRAN/1/2020 are disposed of.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)