

09.10.2020
SL No.51
Court No.23
(gc)
(Allowed)

CRM 7524 of 2020

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gangarampur** P.S. Case No.**299/2020** dated **27.08.2020** under Sections 306/379/506/34 of the Indian Penal Code.

And

In the matter of: **Sonam Faiya Yeasmin & Ors.**

....Petitioners.

Mr. Mazhar Hossain Chowdhury,

...for the Petitioners.

Mr. Arijit Ganguly,

Mr. Sanjib Kumar Dan

...for the State.

The petitioners undertake to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

This application has been filed by the wife of the deceased apprehending arrest. The learned Counsel for the petitioners submits that a false case has been instituted against her by the petitioners Nos.2, 3 and 4 who are father-in-law, mother-in-law and uncle-in-law of the deceased, on the date of alleged incident the wife was at her parents' house.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and submits that the statement of the neighbours as also the complainant recorded under Section 161 of the Cr.P.C. would show that the petitioner No.1 is a quarrelsome lady and she used to mentally torture the deceased.

Considering the materials on record and the extent of complicity of the petitioners in the commission of offence, we feel that the custodial interrogation of the petitioners may not be necessary, accordingly, we allow the prayer for anticipatory bail to the petitioners.

In the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each together with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer subject to the conditions as laid down under Section 438(2) of the Cr.P.C., 1973. It is directed that the petitioners Nos.2 and 4 shall meet the Investigating Officer of the case once a week.

Accordingly, the application for anticipatory bail being CRM 7524 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)