

**CRM 7801 of 2020
(Via Video Conference)**

In re : An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Dum Dum P.S. Case No. 96 of 2020 dated 09.02.2020 under Sections 498A/304B/506 of the Indian Penal Code and Section 3 / 4 of the D.P. Act.

In the matter of : **Laxmi Das**

..... petitioner

Mr. Soumen Karati
Mr. Sombhunath De

.....for the petitioners

Mr. Narayan Prasad Agarwala
Ms. Subhasree Patel

..... for the State

The petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of normal functioning of the Court. Subject to such undertaking the application is taken up for hearing.

The learned Advocate for the petitioner submits that the husband and the father-in-law of the victim have already been enlarged on bail. Whereas the petitioner being the mother-in-law is apprehending arrest in connection with the aforesaid case.

It is submitted that the charge-sheet has been filed but the charges have not been framed as yet and, therefore, no custodial investigation is necessary so far as the present petitioner is concerned.

Learned Advocate for the State vehemently opposes the prayer for anticipatory bail. It is submitted that the complicity of the petitioner as ascribed from the statement recorded under Section 161 Cr.P.C. is established, therefore, the petitioner who is

avoiding the arrest should not be extended any privilege of anticipatory bail.

After hearing the respective submissions and on perusal of the materials on record and the fact that the husband and the father-in-law of the victim who died within 7 (seven) days of the solemnization of the marriage have already been enlarged on bail, and furthermore as the charge-sheet has also been filed we do not think that the custodial interrogation of the petitioner is at all necessary.

The prayer for anticipatory bail is allowed

Accordingly, We direct that in the event of arrest, the petitioners 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 and also subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, 1973 on further condition that the petitioner will cooperate with the investigation and shall meet the Investigating Officer as and when required.

The application being CRM 7801 of 2020 accordingly disposed of.

(Shampa Sarkar,J.)

(Harish Tandon, J.)