

20.10.2020

CRM 7957 of 2020
(Via Video Conference)

Court No. 8
Item No. 23
abhar/bdutta

In Re: An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with Beldanga Police Station Case No. 283 of 2020 dated 04.07.2020 under Sections 498A/306/34 of the Indian Penal Code and read with Section 3/4 of the Dowry Prohibition Act.

and

In the matter of: **Ajeda Bibi**

..... Petitioner

Mr. Mritunjoy Chatterjee.

.....for the Petitioner

Mr. Imran Ali

Ms. Manasi Roy.

..... for the State

The learned advocate for the petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Leave is granted to the learned advocate-on-record of the petitioner to correct the statement made in the preamble as well as the prayer portion of the instant application here and now.

The learned advocate for the petitioner submits that the victim committed suicide after 14 years of marriage and the petitioner being the mother-in-law is apprehending arrest. It is further submitted that the husband of the victim being the son of the petitioner, has been released on bail by the Court below and, therefore, there is no necessity of custodial detention of the petitioner.

The learned advocate appearing for the State opposes the prayer for anticipatory bail. It is submitted that the investigation is going on and the role of the petitioner to the complicity of the alleged offence cannot be ruled out.

After hearing the submissions of the respective counsel and on perusal of the memo of evidence relied upon by the learned advocate appearing for the State, it appears that the petitioner stands on the same footing as that of her son who is the co-accused. Although the

investigation is at the nascent stage, yet we do not find that the custodial detention of the petitioner is required. Accordingly, the prayer for anticipatory bail is allowed.

Therefore, we direct that in the event of arrest, the petitioner namely, **Ajeda Bibi** be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of Rs. 5,000/- (Rupees Five Thousand) 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 Code of Criminal Procedure, 1973 and with further conditions that she shall attend the Investigating Officer as and when called on and shall also cooperate with the investigation.

The application being **CRM 7957 of 2020** is **allowed**.

(Ravi Krishan Kapur, J.)

(Harish Tandon, J.)