

21.10.2020

BP/SM
Sl. 29

CRM 8266 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Mohammad Bazar Police Station Case No. 350 of 2019 dated 19.11.2019 under Sections 498A/302/304B/34 of the Indian Penal Code and 3 & 4 of the Dowry Prohibition Act.

In the matter of : Mithu Shaw @ Show @ Mithu Sao. .
...petitioner

Mr. Prosenjit Mukherjee
Mr. Saptarshi Chakraborty
..for the petitioner.

Mr. Bidyut Kumar Roy
Mrs. Rita Datta
..for the State.

Learned advocate for the petitioner submits that the petitioner is no way connected with the present case. The petitioner is a patient of HIV. The petitioner is the married sister-in-law of the deceased. The husband of the deceased and other relatives have already been granted bail from the learned court below. Therefore, the petitioner should be granted anticipatory bail.

Mr. Bidyut Kumar Roy, learned advocate for the State opposes the prayer for bail and produces the case diary. Mr. Roy further draws attention to the dying declaration

of the wife of the deceased. Therefore, the petitioner should not be granted anticipatory bail.

Considering the dying declaration and after perusing the case diary, in our considered view, the petitioner should not be granted bail.

Accordingly, the prayer for anticipatory bail is rejected.

The application for anticipatory bail being CRM 8266 of 2020 is disposed of.

(Samapti Chatterjee, J.)

(Aniruddha Roy, J.)