

C.R.M. 8728 of 2020

(Through Video Conference)

In the matter of : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Balarampur P.S. Case No. 106 of 2020 dated 13.09.2020 under sections 498A/304B/34 of the Indian Penal Code and sections 3/ 4 of the Dowry Prohibition Act.

And

In the matter of : Rentu Gope & Ors.

Mr. Sourav Chatterjee
Mr. Sougaa Mitra
Mr. Pawan Gupta

... ... for the petitioners

Mr. S.S. Imam
Mr. Subrato Roy

... ... for the State

Petitioner no. 1 has been arrested. Hence, the application for anticipatory bail so far as he is concerned is dismissed as infructuous.

Keeping in mind the prima facie involvement of the petitioner no. 2, mother-in-law, in the torture of the victim housewife who suffered unnatural death within three months of marriage, we are of the opinion this is not a fit case to grant anticipatory bail to the petitioner no. 2.

The application for anticipatory bail of the petitioner no. 2 is, thus, rejected.

However, in view of the extent of complicity of the petitioner no. 3, sister-in-law who has a suckling child, in the alleged crime, we are of the opinion custodial interrogation of

the said petitioner may not be necessary and she may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner no. 3 shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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.

This application for anticipatory bail is, thus, partly allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)