

27.11.2020

BP/BR
Sl.32

CRM 9414 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 Gangarampur Police Station Case No. 332 of 2020 dated 19.09.2020 under Sections 498A/304B/34 of the Indian Penal Code.

In the matter of : Muslim Mia @ Moslem & Ors.....
petitioners

Mr. Kaushik Choudhury
..for the petitioners.

Ms. Sukanya Bhattacharya
Md. Kutubuddin
..for the State.

The petitioners undertake to appropriately stamp the petition as per the Rules within one month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

It is submitted by the learned advocate for the petitioners that the petitioners are innocent persons and they have been falsely implicated in the present case. The principal accused/husband is in custody.

Learned advocate for the State opposes the

prayer for anticipatory bail and submits that the petitioners are the mother-in-law, father-in-law and sister-in-law and they are all residing in the same premises. Due to demand of dowry, regularly they tortured the wife, as a result of which she committed suicide. Therefore, court should not allow the prayer for anticipatory bail.

Considering the submissions as advanced by the learned advocates for the parties and after perusing the case diary, in our considered view, the wife was regularly tortured by the husband and the present petitioners. Therefore, the anticipatory bail should not be granted.

Accordingly, the application for anticipatory bail is rejected.

The application for anticipatory bail being C.R.M. 9414 of 2020 is disposed of.

(Samapti Chatterjee, J.)

(Kausik Chanda, J.)