

09.12.2020.

85.

as

(Allowed).

C.R.M. 10035 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sabong P. S. Case No.95 of 2020 dated 18.03.2020 under Sections 498A/304B/302/34 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act.

In the matter of : Sefali Kar @ Sefali Sasmal (Kar).
... Petitioner.

Mr. Uttam Kr. Bhattacharyya.
...for the Petitioner.

Mrs. Zareen N. Khan,
Mr. Mirza Firoj Ahmed Begg.
.....for the State.

Heard the learned Advocates appearing for the parties.

Petitioner is the married sister-in-law of the victim housewife. It is contended that she was attending her husband who was hospitalised and under going dialysis at the time of incident.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail and submits that the housewife was tortured by her husband and in-laws and suffered unnatural death within one year of marriage.

We have considered the materials on record which discloses a grave offence. However, complicity of the petitioner is to be assessed in the light of the submission that she is the married sister-in-law of the victim housewife and did not

ordinarily reside at the matrimonial home. That apart, it is contended that she was not present at the place of occurrence.

In view of the aforesaid submission and in the light of extent of complicity of the petitioner in the alleged crime, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, viz., Sefali Kar @ Sefali Sasmal (Kar) shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and 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, disposed of.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)