

14.12.2020.

124.

as

(Allowed).

C.R.M. 10267 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Murarai P. S. Case No.110 of 2020 dated 16.11.2020 under Sections 498A/306/34 of the Indian Penal Code read with Sections 3 / 4 of the Dowry Prohibition Act.

In the matter of : Sajida Bibi @ Sajeda Bibi.

... Petitioner.

Mr. Bitasok Banerjee,
Mr. Biswajit Mitra.

...for the Petitioner.

Mr. P. K. Datta, Id. A.P.P.,
Mr. Santanu Deb Roy.

.....for the State.

Heard the learned Advocates appearing for the parties.

Whether the allegations of torture would amount to abetment to suicide may be assessed in the light of the submission that the incident occurred 15 years after marriage and the victim did not leave behind any suicide note implicating the petitioner and the statutory presumption under Section 113A of the Evidence Act is also not attracted.

Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioner, viz., Sajida Bibi @ Sajeda Bibi 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.)