

17.12.2020
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Sdas
allowed

**CRM 10444 of 2020
(via video conference)**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Pandabeswar P.S. Case No. 45 of 2020 dated 26.06.2020 under Sections 498A/304B/354A/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Sima Mukherjee @ Seema Mukherjeepetitioner.

Mr. Anand Keshari
Mr. Sekhar Mukherjee

...for the petitioner.

Mr. S. G. Mukherjee, learned P.P.
Mr. Aniket Mitra

...for the State.

It is submitted by the learned Counsel appearing for the petitioner that the victim had left the matrimonial home one year prior to the incident. She committed suicide at her parental home.

Learned Counsel appearing for the State opposes the prayer for anticipatory bail and submits that the victim was tortured and committed suicide within five years of marriage.

We have considered the materials on record. Allegation of torture may be assessed in the light of the aforesaid submissions made on behalf of the petitioner. Petitioner is not the principal accused.

In view of the aforesaid facts, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner 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.

The application for anticipatory bail is, thus, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)