

21.01.2021

Item No.143

Ct.No.28

dc.

Allowed

C.R.M. 258 of 2021

(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Achhia Bibi alias Achia Bibi & Anr.**

... Petitioners.

Mr. Arindam Sen,
Mr. Balaram Sarkar

... For the Petitioners.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

... For the State.

Apprehending arrest in connection with Basirhat P.S.
Case No. 1172 of 2020 dated 04.11.2020 under Sections
306/34 of the Indian Penal Code (G.R. No. 4707 of 2020),
the present application has been preferred.

The learned advocate appearing for the petitioners
submits that the petitioner no.1 is the mother-in-law of the
deceased and the petitioner no.2 is the wife of the deceased.
They have been falsely implicated in the proceedings on the
basis of a purported complaint lodged seven years after the
marriage was solemnized. In view of the nature of
allegations, custodial detention of the petitioners is not
necessary.

The learned advocate appearing for the State opposes the petitioners' prayer.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial detention of the petitioners is not necessary.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioners, namely **Achhia Bibi alias Achia Bibi** and **Dilruba Bibi** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, 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.

The application for anticipatory bail, being CRM 258 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)