

25.01.2021
Court No.28
rpan / 200

C.R.M. 331 of 2021
(Via Video Conference)

In Re:- An application for anticipatory bail under section 438
of the Code of Criminal Procedure ;

And

In Re : Benjura Bibi & Another
....Petitioners.

Mr. Usof Ali Dewan,
Mr. Asif Dewan
.....for the Petitioners.

Mr. Bidyut Kr. Roy,
Ms. Rita Datta
... for the State.

Apprehending arrest in connection with Raghunathganj
P. S. Case No. 406 of 2020 dated 25.08.2020 under Sections
498A/304B/34 of the Indian Penal Code, the petitioners have
filed the present application.

The learned advocate for the petitioners submits that
the petitionerno.1 is the mother-in-law of the victim and the
petitioner no.2 is the grand mother-in-law of the victim. They
are aged about 51 years and 75 years respectively. The
husband of the victim and the brother-in-law of the victim
have already been granted bail. Upon completion of
investigation, charge-sheet has also been filed and as such,
custodial detention of the petitioners is not warranted.

The learned advocate for the State opposes the prayer.

Having heard the learned advocates and considering the
materials in the case diary, the 164 statement of the *de facto*
complainant 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. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, in the event of arrest the petitioners, viz. 1. **Benjura Bibi** and 2. **Kayema Bewa @ Kayesha Bibi**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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 331 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)