

27.01.2021
Court No.28
Item No. 204
Krishnendu
ALLOWED

**C.R.M. 333 of 2021
(Via video Conference)**

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

And

In re: **Jyotsna Chakraborty @ Joytsna Chakraborty**

.....Petitioner

Mr. Mahammad Mahmud

Mr.M.S. Mollah

Ms. Pinki Das

....For the Petitioner

Mr. Goutam Wilson

.....For the State

Apprehending arrest in connection with Haripal Police Station Case No. 219 of 2020 dated 05.08.2020 under sections 498A/406/313 of the Indian Penal Code, 1860 read with sections 3 & 4 of the Dowry Prohibition Act, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner is the mother-in-law of the de facto complainant. The petitioner has been falsely implicated on the basis of an alleged incident, which occasioned about one-year after the marriage was solemnized. The father-in-law of the de facto complainant has already been granted bail by a Co-ordinate Bench on 1st December, 2020 and in view thereof, custodial detention of the petitioner is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer for anticipatory bail and draws our attention to several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and upon considering the materials in the case diary, it, *prima facie*, appears that no overt act attributable to the petitioner has been alleged and in view thereof, we are of the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we allow the application and direct that in the event of arrest the petitioner, **Jyotsna Chakraborty @ Joytsna Chakraborty**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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 No. 333 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)