

03.02.2021
Court No.28
Item No. 325
Krishnendu
ALLOWED

C.R.M. 335 of 2021
(Via video Conference)

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

And

In re: **Smt. Suchitra Biswas**

Petitioner

Mr. Arnab Chatterjee

For the Petitioner

Mr. S.G.Mukherji, Id. P.P.

Mr. Partha Pratim Das

Mrs. Manashi Roy

For the State

Apprehending arrest in connection with Taherpur Police Station Case No. 56 of 2020 dated 22.05.2020 under sections 498A/304B/34 of the Indian Penal Code, 1860, 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 deceased and the materials available would reflect that that the present petitioner attempted to save the deceased and in the process she also sustained burn injury. It is further stated that the present petitioner, as a consequence of the injury suffered, was admitted in a hospital and she was discharged after a couple of days.

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

We have perused the case diary, the statements of the neighbours and the observations made by two Co-ordinate

Benches of this Court in C.R.M. 9166 of 2020 and CRM 10221 of 2020.

Having regard to the complicity of the present petitioner, we are of the opinion that the petitioner's custodial detention is unwarranted in the facts and circumstances of the instant case. As such, the petitioner's prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Smt. Suchitra Biswas**, 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. 335 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)