

03.02.2021
Item no.328
Court No.28
Avijit Mitra

C.R.M. 388 of 2021 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Onda Police Station Case No.174 of 2020 dated 19.11.2020 under Sections 498A/325/326/307/34 of the Indian Penal Code adding Section 306 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act;

And

In Re :Priti Rani Roy

.... petitioner

Mr. Sandip Chakraborty,
Mr. Soumik Ganguli

....for the petitioner

Mr. S.S. Imam,
Mr. S.Kundu

..... for the State

The learned advocate appearing for the petitioner submits that the petitioner is the mother-in-law of the deceased. The petitioner's son married the deceased ten years ago and the petitioner has been falsely implicated in the alleged incident. The deceased committed suicide and in the said conspectus, the custodial detention of the petitioner who is presently aged about 73 years and suffering from heart ailments is not necessary. He further submits that the husband of the deceased has already been granted bail. The brother-in-law and the sister-in-law have also been granted anticipatory bail by the learned Sessions Court.

Learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the dying declaration.

Having heard the learned advocates and considering the materials in the case diary, the dying declaration and the complicity of the petitioner in the alleged offence, we are of the opinion that custodial detention of the petitioner is not necessary.

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) 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 being C.R.M. 388 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)