

26.02.2021
Court No.28
rpan / 27

C.R.M. 485 of 2021
(Via Video Conference)

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

And

In Re : **Bisakha Rabi Das @ Tuktuku Rabi Das**
Petitioner

Ms. Minoti Gomes,

Mr. Jisan Iqubal Hossain

For the Petitioner.

Mr. Rana Mukherjee

For the State.

Apprehending arrest in connection with Berhampore
Police Station Case No. 800 of 2020 dated 08.08.2020 under
Sections 302/506/34 of the Indian Penal Code, the petitioner
has filed the present application.

The learned advocate for the petitioner submits that the
petitioner happens to be the wife of the principal accused and
she has been implicated in the instant case on the basis of the
statements of the witnesses, which are not sustainable. The
allegations in the First Information Report, *prima facie*, point
out that it was Raju Rabidas, who is in custody, had stabbed
the victim which resulted in his death. It has been further
stated that there was a dispute existing between the deceased
and the husband of the present petitioner. So far as the
allegations for the commission of offence punishable under
Section 302 of the Indian Penal Code are concerned, there is no
complicity of the present petitioner.

Mr. Mukherjee, learned advocate appearing for the State opposes the prayer for anticipatory bail and draws the attention of this Court to the statements of the witnesses.

We have perused the materials in the case diary and assessed the complicity of the present petitioner. Having regard to the materials appearing in the case diary, we are of the opinion that custodial detention of the petitioner may not be warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, in the event of arrest the petitioner, viz. **Bisakha Rabi Das @ Tuktuku Rabi Das**, shall be released on bail upon furnishing a bond of ₹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 485 of 2021, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)