

05.03.2021
Court No.28
Item No.23
Krishnendu
ALLOWED

C.R.M. 551 of 2021

(Via video Conference)

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

And

In re: **Minati Sardar**

.....Petitioner

Mr. Soubhik Mitter

Mr. Litan Maitra

Ms. Aindrila De

.....For the Petitioner

Mr. S.G.Mukherjee, Id. P.P.

Mr. Aniket Mitra

.....For the State

Apprehending arrest in connection with Gopalnagar Police Station Case No. 357 of 2020 dated 15.07.2020 under sections 498A/406/302/34 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate for the petitioner submits that the petitioner is the mother-in-law of the victim. According to the learned advocate, the marriage was solemnized eleven years prior to the unfortunate incident and there were no prior complaints. He further submits that the husband of the victim was arrested and subsequently released on bail.

Mr. Mitra, learned advocate for the State opposes the prayer for anticipatory bail and refers to the statements of the daughter of the victim and the neighbors.

We have perused the statement of the daughter of the victim as well as those of the neighbours and on perusal of the

same, we are of the opinion that although there are allegations which make out a case but custodial detention/interrogation of the present 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, we direct that in the event of arrest the petitioner, namely, **Minati Sardar**, 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. 551 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.)