

05.03.2021

Court No.28

rpan/ 33

C.R.M. 577 of 2021
(Via video Conference)

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

And

In re: **Maya Rani Basak**

-Petitioner.

Mr. Angshuman Chakraborty,

Mr. S. S. Saha

....For the Petitioner.

Mr. Narayan Prasad Agawrala,

Ms. Subhasree Patel

....For the State

Apprehending arrest in connection with Taherpur Police Station Case No. 75 of 2019 dated 27.04.2019 under Sections 498A/304B/34 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate for the petitioner submits that the present petitioner is the mother-in-law of the victim/deceased. He further submits that the petitioner is 58 years old and has been implicated without any rhyme or reason. Additionally, the learned advocate submits that the petitioner would abide by any condition imposed by this Court in case the reliefs, as prayed for, are allowed.

The learned advocate appearing for the State opposes the prayer and draws attention of this Court to the statements of the witnesses and additionally submits that the husband and the mother-in-law are on the same footing and since the husband was

taken into custody, there is no reason to extend the relief to the present petitioner.

We have perused the materials on record and on perusal of the same, we find that the investigation of the case has been concluded and charge-sheet has also been submitted on 11th July, 2019. Having regard to the fact that the victim committed suicide by hanging and the investigation has been concluded, we are of the opinion that at this stage custodial detention of the present petitioner is unwarranted. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Maya Rani Basak**, 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.

This order of anticipatory bail will remain in force for a period of six weeks from date.

Within the aforesaid period, the petitioner will surrender before the learned Trial Court and pray for regular bail.

The application for anticipatory bail, being CRM No. 577 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.)