

12.04.2021

CRM 783 of 2021

Court No.28

(Via Video Conference)

Item 289

sg

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 448 of 2020 dated 10.10.2020 under Sections 304/34 of the Indian Penal Code.

Monika Ghosh & Anr.

Versus

The State of West Bengal

Allowed

Mr. Angshuman Chakraborty, Adv.

...for the Petitioners.

Mr. Madhusudan Sur, Adv.

Mr. Manoranjan Mahata, Adv.

...for the State.

The present petitioners are the mother-in-law and grandmother of the victim child, who met with an unfortunate incident of death.

The learned Advocate for the petitioners submits that the petitioners have been falsely implicated in the instant case and a case of accident has been converted to one of murder. It is also submitted that the charge sheet has already been submitted.

Mr. Sur, learned Advocate for the State opposes the prayer for anticipatory bail and draws the attention of this Court to the statements recorded under Section 164 of the Code of Criminal Procedure and the witnesses which were recorded by the investigating agency.

We have perused the case diary and appreciating the same, we are of the opinion that custodial interrogation of the present petitioners may not be warranted in the facts and circumstances of the instant case and the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioners shall be

released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

The prayer for anticipatory bail is allowed.

CRM 783 of 2021 is, thus, disposed of.

All parties shall act on the server copy of the order.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)