

12.04.2021
Court No.28
Item No. 299
Krishnendu
Allowed

C.R.M. 805 of 2021

(Via video Conference)

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

And

In re: **Malati Sahoo @ Malati Sahu & Anr.**

.....Petitioners

Mr. Suman De

.....For the Petitioners

Mr. Tanmoy Kumar Ghosh

Ms. Sima Biswas

.....For the State

Apprehending arrest in connection with Chandipur Police Station Case No. 299 of 2019 dated 29.12.2019 under sections 498A/306/34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act, the petitioners have filed the present application.

The learned advocate for the petitioners submits that the petitioners are the mother-in-law and sister-in-law respectively of the deceased.

Mr. Ghosh, learned advocate appearing for the State opposes the petitioners' prayer for anticipatory bail.

From the materials on record, it surfaces that marriage was solemnized eighteen years prior to the date of unfortunate incident and it is because of the illicit relationship which the husband developed with another women, the victim decided to end her life.

Having regard to the materials available in the case diary, so far as the present petitioners are concerned, we are of the

opinion that custodial detention of the petitioners are unwarranted. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Malati Sahoo @ Malati Sahu and Madhuri Maity @ Madhuri Rani Maity**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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.

This order of anticipatory bail will remain in force for a period of four weeks from date, within which period the petitioners shall surrender before the learned Jurisdictional Magistrate and pray for regular bail.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 805 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.)

(Soumen Sen, J.)

