

23.03.2021

Item No.79

Ct.No.28

dc.

Allowed

C.R.M. 1004 of 2021

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Uluberia P.S. Case No. 740 of 2018 dated 17.11.2018 under Sections 498A/304B/302/34 of the Indian Penal Code and lately submission of charge-sheet under Sections 498A/304B/34 of the Indian Penal Code read with Sections 3/4 of Dowry Prohibition Act.

And

In Re : **Arati Gonra & Anr.**

... Petitioners.

Ms. Devi Priya Mitra

... For the Petitioners.

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick

... For the State.

This is an application for bail in connection with Uluberia P.S. Case No. 740 of 2018 dated 17.11.2018 under Sections 498A/304B/302/34 of the Indian Penal Code and lately submission of charge-sheet under Sections 498A/304B/34 of the Indian Penal Code read with Sections 3/4 of Dowry Prohibition Act at the behest of the petitioners.

The learned advocate for the petitioners submits that the petitioners are in custody for 95 days and the petitioner no.1 happens to be the mother-in-law while the petitioner no.2 happens to be the sister-in-law of the deceased. According to the learned advocate, though the husband and

the father-in-law of the deceased were arrested, but they were released on bail by an order dated 18.01.2021 passed by the learned Sessions Judge.

Mr. Sur, learned advocate appearing for the State produces the case diary and draws the attention of this Court to the statement of the neighbours.

We have perused the case diary and we find that there are allegations against the present petitioners, but the present petitioners are similarly situated with those accused persons, viz., the father-in-law and the husband of the deceased who have already been released on bail.

Having regard to the *locus standi* of the present petitioners in relation to the accused persons who have been granted bail, we are of the opinion that the present petitioners are also entitled to be released on bail. As such, the petitioners' prayer for bail is **allowed**.

Accordingly, we direct that the petitioners, namely, 1. **Arati Gonra** and 2. **Priyanka Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Uluberia, Howrah subject to the condition that the petitioners shall attend the case on each date of listing before the learned trial court and the default on any solitary occasion without any justifiable

cause, the learned trial court is at liberty to cancel the bail of the petitioners without any further reference to this Court.

The application for bail, being CRM 1004 of 2021, is, thus, disposed of.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)