

DI. May 19,
29. 2021

Through Video Conference

C.R.M. 1158 of 2021

In the matter of : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on January 28, 2021 in connection with Manikchak Police Station Case No. 279 of 2020 dated October 20, 2020 under Sections 498A/302/34 of the Indian Penal Code;

And

In the matter of : Firoja Bibi @ Firoza & ors.	...petitioners.
Versus	
State of West Bengal	...opposite party.

Mr. Sagar Saha,
...for the petitioners.

Mr. Saswata Gopal Mukherjee,
Ms. Faria Hossain,
Mr. Aniket Mitra,
...for the State.

We have heard the learned advocates appearing for the parties and perused the case diary.

It is submitted on behalf of the petitioners that the petitioner no. 1 is a neighbour and the petitioners no. 2 and 3 are the brothers in law of the victim and they have no involvement in the alleged incident.

The learned Advocate appearing on behalf of the State opposes the prayer for anticipatory bail and produces the case diary.

It appears from the materials available before us that the main thrust of allegation under Section 302 of the Indian Penal Code is against the husband of the victim, who is not before us.

Considering the extent of complicity of the present petitioners in the alleged crime, we are inclined to hold that custodial interrogation of the petitioners may not be required. It further appears that charge sheet has already been submitted

against the present petitioners under Sections 498A/34 of the Indian Penal Code.

Under such circumstances, we direct that in the event of arrest of the petitioners, namely, **Firoja Bibi @ Firoza, Md. Rahim and Md. Ayek**, they shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand) only each with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer, subject to the conditions as laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure.

The application for anticipatory bail is, thus, **allowed**.

dns

(**Suvra Ghosh, J.)**

(**Soumen Sen, J.)**