

20.05.2021
SL No.16
Court No.28
(gc)

CRM 1175 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Englishbazar Police Station Case No.489/2020 dated 11.06.2020 under Sections 498A/306/511 of the Indian Penal Code.

And

In the matter of : **Chandana Gupta & Ors.**

- Petitioners

Mr. Musharraf Alam Sk.

... For the Petitioners.

Mr. Tanmoy Kr. Ghosh,

Mr. Arindam Sen,

... For the State.

The petitioners are the members of the matrimonial family of the victim and it is submitted on behalf of the petitioners that they have been falsely implicated in this case after the victim committed suicide by consuming acid.

The State produces the case diary and opposes the prayer for anticipatory bail. The State also refers to the statement of witnesses including the mother of the victim in the case diary.

It appears that the petitioners are the members of the matrimonial family of the victim and on consideration of the injury report, discharge certificate of the victim as well as the statement of the victim under Section 161 of the Code of Criminal Procedure, we are inclined to hold that in view of the nature of the offence and also the extent of involvement of the petitioners in the alleged crime, custodial interrogation of the petitioners may not be

required and they may be granted anticipatory bail. Accordingly, the application 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/- 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.

The application for anticipatory bail, being CRM No.1175 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.

(Suvra Ghosh, J.)

(Soumen Sen, J.)