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18-05-2021

Court 28

**C.R.M. 1238 of 2021
(Via Video Conference)**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ghola Police Station Case No. 617 of 2020 dated 21-12-2020 under sections 498A/306 of the Indian Penal Code.

Soma Dey @ Tumpa & Anr.
Versus
State of West Bengal

Allowed

Mr. Subhajit Chowdhury, Adv.

...for the petitioners.

Mr. Tanmay Kr. Ghosh, Adv.

Ms. Sima Biswas, Adv.

...for the State.

On the basis of the complaint, the husband of the victim was arrested and subsequently was released on bail. The present petitioners are the married sisters-in-law who claimed that they used to live separately in their respective matrimonial houses and they have been falsely implicated in the instant case.

Considering the materials available in the case diary and the nature of death which shows to be ante-mortem in nature and the nature and extent of complicity of the present petitioners in the commission of alleged offence and also having regard to the fact that the husband of the victim has been granted bail, we are of the opinion that the custodial interrogation of the petitioners are not necessary and the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on anticipatory 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 arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The petitioners have also given an undertaking that they shall cooperate

with the investigation

The application for anticipatory bail is allowed.

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.)