

30.07.2021
Item no.7.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1240 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 29.01.2021 in connection with Bagdah Police Station Case No.117 of 2020 Dated 21.02.2020 under Sections 498A/304B/34 of the Indian Penal Code

And

In the matter of : Rina Haldar & Ors.

.....Petitioners.

Mr. M. K. Mukherjee,

Mr. S. Chandrafor the Petitioners.

Mr. Bidyut Kr. Roy,

Ms. Rita Duttafor the State.

The petitioners are the sister-in-law and parents-in-law of the victim. It is submitted that the victim and her husband resided at the workplace of the husband in Bihar whereas the present petitioners resided in 24 Pargans (North). The allegation against them is out and out false.

The State opposes the prayer for anticipatory bail and refers to various statements in the case diary.

We have considered the material in the case diary. The victim and her husband ordinarily resided in Bihar whereas the petitioners resided in North 24 Parganas. The complaint was lodged after a delay of above ten months.

Having considered the facts and circumstances of the case as well as the extent of complicity of the petitioners in the alleged crime, we are inclined to hold that immediate custodial interrogation of the petitioners may not be necessary so long as they cooperate with the Investigating Officer.

Accordingly, 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.1240 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)