

28.07.2021
Item no.46
Court No.32.
S.De
(Allowed)

(Via Video Conference)

CRM No. 1782 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 11.02.2021 in connection with Chakdaha Police Station Case No. 16 of 2021 dated 10.01.2021 under Sections 498A/304B/34 of the Indian Penal Code.

And

In the matter of : Smt. Sujata Mitra.

.....Petitioner.

Mr. Sekhar Barman, Advocate,
.....for the Petitioner.

Mr. S.G. Mukherjee, Advocate, Ld. Public Prosecutor,
Mr. Aniket Mitra, Advocate,
.....for the State.

The petitioner is the mother-in-law of the victim lady who apparently committed suicide. The charge under Section 306 of Indian Penal Code has been substituted for the charge under Section 304B of the Indian Penal Code.

Learned advocate for the petitioner submits that after marriage, the deceased lady resided in the matrimonial home for two months. Thereafter both husband and wife moved to the wife's parental home where they started residing. The husband left his in-laws' place after a few months. Apparently, the

husband had an extra marital affair. This was the reason why the wife committed suicide at her parents' place.

Learned advocate for the State opposes the prayer for anticipatory bail. He however, does not dispute the factual submissions made by learned counsel for the petitioner.

We have seen the material in the case diary. We have found no prima facie involvement of the petitioner in the commission of the alleged offence.

In view of the facts and circumstances recorded above, we are of the opinion that this is a case where the petitioner may be extended the privilege of anticipatory bail.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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.

The application for anticipatory bail being CRM 1782 of 2021 is, thus, **allowed**.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)

