

06.08.2021
Item no. 20
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 1818 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 12.02.2021 in connection with Sabong Police Station Case No. 95 of 2020 dated 18.03.2020 under Sections 498A/304B/302/34 of the Indian Penal Code and under Section 3 and 4 of the Dowry Prohibition Act.

And

In the matter of : Ashalata Sasmal.

.....Petitioner.

Mr. Uttam Kr. Bhattacharyya, Advocate,
.....for the Petitioner.

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

The petitioner is the mother-in-law of the victim lady. The charge is under Sections 498A, 304B, 302 and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

The State says that the incident took place within a year of the marriage. By referring to statements of neighbours recorded under Section 161 of the Code, it is submitted that the petitioner and the father-in-law used to torture the victim which prompted the victim to commit suicide.

The petitioner says that the father-in-law has been enlarged on bail after being arrested. The sister-in-law has been granted anticipatory bail by a co-ordinate Bench of this Court. The charge sheet has been filed. The petitioner says that she will co-operate with the Investigating Officer in case of any further investigation.

Having considered the facts and circumstances of the case and the possible extent of complicity of the petitioner in the commission of the alleged crime, we are of the view that the petitioner may be granted 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.

In case the petitioner fails 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 CRM 1818 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.)

