

30.07.2021
Item no.24.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1828 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 Chopra Police Station Case No.210 of 2018 Dated 01.06.2018 under Sections 498A/323/307/34/302 of the Indian Penal Code

And

In the matter of : Rinki Khatun @ Aklima Khatun & Ors.

.....Petitioners.

Mr. M. N. Choudhury,
Ms. Priyanka Sahafor the Petitioners.

Mr. P. K. Dutta, Ld. APP
Mr. Santanu Debroyfor the State.

The allegation against the petitioners is under Sections 498A/323/307/34/302 of the Indian Penal Code.

The prosecution case is that the petitioners and other accused persons physically assaulted the victim, who ultimately succumbed to the injury, which she suffered due to such assault.

We have seen the material in the case diary and in particular the statement of the victim's husband recorded under Section 161 of the Code of Criminal Procedure. We have also

seen the post mortem report. We are told that the principal accused is on bail. Charge sheet was also submitted in 2018.

Having considered the material in the case diary and the facts and circumstances of the case, we are of the view 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.1828 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.)

