

27.
13-08-2021
(ct. no.32)
KOLE
Allowed

(Via Video Conference)

CRM 1886 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Haringhata Police Station** Case No. **28 of 2019** dated **21.01.2019** under Section **306** of the Indian Penal Code.

- A n d -

In the matter of : Munmum Pramanik @ Banti Pramanik @ Kanti & Ors.

.... Petitioners.

Mr. A. Tiwari

... For the Petitioners.

Mr. S. Bhattacharyya,
Mr. P. Bose,

... For the State.

Learned Advocate for the petitioners submits that the petitioner nos. 2 and 3 have been arrested. He intends not to press the application in respect of petitioner nos. 2 and 3. Accordingly, the prayer on behalf of the petitioner nos. 2 and 3 is dismissed as not pressed.

In so far as the petitioner no. 1 is concerned, it is submitted that she is the mother of the girl friend of the victim. It appears that the victim committed suicide. The petitioner has no role to play therein. Charge sheet has been submitted.

The State opposes the prayer for anticipatory bail and refers to the material in the case diary including the statements of witnesses recorded under Section 161 of the Code.

We have considered the material in the case diary. The victim appears to have committed suicide after a failed love affair. The petitioner no. 1 is the mother of the victim's girl friend and no prima facie nexus has been attributed to her during investigation.

Having considered the material available in the case diary and the extent of complicity of the petitioner in the alleged offence as also since charge sheet has been submitted after completion of investigation, we are inclined to hold that immediate custodial interrogation of the petitioner no. 1 is not necessary and she 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 the event the petitioner fails to adhere to any of the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 1886 of 2021 is, thus, allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)