

01.09.2021
Item no.28
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 2049 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 23.02.2021 in connection with Islampur Police Station Case No. 819 of 2020 dated 07.11.2020 under Sections 498A/304B of the Indian Penal Code.

And

In the matter of : Ramu Saha & Anr.

.....Petitioners.

Mr. M. Nazar Choudhury, Advocate,
Mr. P. Saha, Advocate,

.....for the Petitioners.

Mr. Bidyut Kr. Ray, Advocate,
Ms. Rita Datta, Advocate,
Ms. Manisha Sharma, Advocate,

.....for the State.

The petitioners are the parents-in-law of the victim lady who, according to the petitioners, committed suicide by hanging herself. The petitioners say that they have no role to play in the death of the victim.

We have seen the material in the case diary including the Post Mortem Report. The cause of death is stated to be asphyxia due to hanging. No other external injury has been noted. We have also considered statements of neighbours. The

allegations in such statements are general and omnibus in nature.

The husband of the victim was apprehended and has been enlarged on bail by the learned Trial Court. Charge-sheet has been submitted.

In view of the aforesaid and on an overall assessment of the material on record, we are of the opinion that immediate custodial interrogation of the petitioners is not necessary.

Accordingly, in the event of arrest, the petitioners namely Ramu Saha and Usha Rani Saha 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 CRM 2049 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.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)

