

CRM 2297 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Haroa Police Station Case No.357 of 2019 dated 11-08-2019 under Sections 498A/326/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act and added Section 306 of the Indian Penal Code.

- A n d -

In the matter of : Sahanara Bibi

.... Petitioner.

Mr. Surajit Basu

... For the Petitioner.

Mr. Bidyut Kumar Roy,
Ms. Rita Datta,
Mrs. Puspita Saha

... For the State.

This is a case under Sections 498A/326/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act and added Section 306 of the Indian Penal Code.

Learned advocate for the petitioner submits that there are no such specific allegations against the petitioner, who is the mother-in-law of the victim. The husband and the father-in-law of the victim have been granted bail.

Learned advocate, appearing on behalf of the State, submits that there are allegations of torture against this petitioner who is the mother-in-law of the victim.

We have perused the Case Diary and heard the submissions advanced on behalf of both the parties. It is apparent from the statements recorded under Section 161 of the Code of Criminal Procedure that the allegations against this petitioner, who happens to be the mother-in-law of the

victim, are general in nature. Furthermore, this petitioner stands on the same footing as of the other accused persons.

On an overall assessment, we are of the view that immediate custodial interrogation of the petitioner may not be necessary.

Accordingly, in the event of arrest, the petitioner, namely, **Sahanara Bibi**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. The petitioner shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

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 2297 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.

(**Bivas Pattanayak, J.**) (**Sabyasachi Bhattacharyya, J.**)