

20.09.2021  
Item no.31  
Court No.32.  
S.De  
(allowed)

**(Via Video Conference)**

**CRM No. 2681 of 2021**

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 15.03.2021 in connection with Naihati Police Station Case No. 344 of 2019 dated 28.06.2019 under Sections 498A/306/34 of the Indian Penal Code.

And

**In the matter of : Smt. Sima Das.**

.....Petitioner.

Mr. Debasis Kar, Advocate,  
Mr. Subhajit Chowdhury, Advocate,  
.....for the Petitioner.

Mr. Navanil De, Advocate,  
.....for the State.

The petitioner's prayer for anticipatory bail was rejected by this Court on September 18, 2019 in CRM 8534 of 2019. The petitioner says that at that time, the charge-sheet had not yet been submitted. Now, the charge-sheet has been submitted and hence, the petitioner is renewing her prayer.

The petitioner is the mother-in-law of the victim lady. The father-in-law and other accused persons have all been granted bail/anticipatory bail.

We have seen the material in the case diary. The allegations are general and omnibus in nature against the petitioner.

Further, learned counsel for the State, in his usual fairness submits that the present petitioner stands on the same footing as those accused persons who have been granted bail/anticipatory bail.

On an overall assessment of the facts and circumstances of the case and the material on record in so far as the petitioner is concerned and also since charge-sheet has been submitted, we are of the view that immediate custodial interrogation of the petitioner is not necessary.

Accordingly, in the event of arrest, the petitioner namely **Sima Das** 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 2681 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.)**

