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18-08-2021
(ct. no.32)
KOLE
Allowed

(Via Video Conference)

CRM 2704 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nowda Police Station** Case No. **42 of 2020** dated **02.03.2020** under Sections **498A/302/34** of the Indian Penal Code.

- A n d -

In the matter of : Parvina Khatun @ Parvina Bibi

.... Petitioner.

Mr. R. Das,

... For the Petitioner.

Mr. S. G. Mukherjee, Ld. APP.

Mr. Md. Kutubuddin,

Mr. B. Basu,

... For the State.

The petitioner is the cousin sister-in-law of the victim who died after ten years of marriage. The allegation is that the husband and the in-laws of the victim including the present petitioner set her on fire.

The petitioner says that at all material times she resided separately from the victim at her matrimonial home. She has no role to play in the commission of the alleged offence.

We have considered the material on record including the statements of witnesses recorded under Section 161 of the Code. The material is, prima facie, not such as would warrant immediate custodial interrogation of the petitioner. Further, charge sheet has been submitted. Six out of eight accused persons were arrested and granted bail by the learned Court below. On an overall assessment of the facts

and circumstances of the case, we are inclined to allow the petitioner's prayer for 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 report to the Investigating Officer once in a fortnight 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 2704 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.)