

CRM 2859 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Gazole Police Station Case No.195 of 2020 dated 26-04-2020 under Sections 376/323/109 of the Indian Penal Code, subsequently Charge Sheet being submitted under Sections 376/498A/506 of the Indian Penal Code.

- A n d -

In the matter of : Kashi Chowdhury & Anr.

.... Petitioners.

Mr. Kazi M. Rahman

... For the Petitioners.

Mr. Saswata Gopal Mukherji, learned Public Prosecutor,
Ms. Faria Hossain,
Ms. Baisali Basu

... For the State.

The petitioners are the 65 years and 60 years old parents-in-law of the victim. The charge against the petitioners is under Section 498A of the Indian Penal Code.

We have seen the statements of witnesses in the Case Diary. They are weak and general allegations. *Prima facie*, there is no specific implication of these petitioners. Charge Sheet has already been submitted.

On an overall assessment of the material on record and the facts and circumstances of the case as well as the extent of possible complicity of the petitioners in the alleged offence, we are of the opinion that this is not a case where immediate custodial interrogation of the petitioners may be necessary.

Accordingly, in the event of arrest, the petitioners, namely, **Kashi Chowdhury** and **Champa Chowdhury**, shall

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

In the event the petitioners fail 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 2859 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.)**

(**Arijit Banerjee, J.)**