

74.
27-08-2021
(ct. no.32)
KOLE
Allowed

CRM 2878 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Karandighi Police Station** Case No. **78 of 2018** dated **18.04.2018** under Sections **498A/302/34** of the Indian Penal Code.

- A n d -

In the matter of : Nurefa Bibi

.... Petitioner.

Mr. M. Gomes,
Mr. J. I. Hossain,

... For the Petitioner.

Mr. T. Kr. Ghosh,
Mr. A. Sen,

... For the State.

The petitioner is the mother-in-law of the victim lady.

The petitioner says that the victim lady committed suicide after eight years of marriage. On the night of the incident, there was a quarrel between the victim and her husband which prompted the victim to kill herself by setting herself on fire.

The State draws our attention to statements of witnesses including the statement of the victim's husband. The allegations are general and omnibus in nature. The husband appears to be saying that due to torture meted out by the family members to the victim, she committed suicide. However, the husband is a co-accused person. Not much can be done relying on his statement.

Charge sheet has been filed. The petitioner is 65 years old. On an overall assessment of the material on

record, the facts and circumstances of the case and the extent of possible complicity of the petitioner in the alleged offence, we are of the view that immediate custodial interrogation of the petitioner is not necessary.

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 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 2878 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.)