

02.03.2021

Item No.116

Ct.No.28

dc.

Rejected

C.R.M. 4368 of 2020
with
CRAN 1 of 2020 (Old No. CRAN 2537 of 2020)
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Moina Singha**

... Petitioner.

Mr. Rajendra Banerjee

... For the Petitioner.

Mr. Arijit Ganguly

... For the State.

Apprehending arrest in connection with Nalhati P.S. Case No. 441 of 2019 dated 27.12.2019 (G.R. No.1614 of 2019) under Sections 498A/307 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, 1961 and added Section 302 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioner submits that the petitioner is the mother-in-law of the deceased. The son of the petitioner married the deceased about 16 years ago and the petitioner has been falsely implicated. No overt act has been attributed to the petitioner. Upon completion of investigation, charge-sheet has also been filed and in the said conspectus, custodial interrogation of

the petitioner is not warranted. He further submits that the husband of the deceased has already been granted bail by the learned sessions court.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the statements of the witnesses recorded under Section 161 of the Code, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in her favour. As such, prayer for anticipatory bail is **rejected**.

The application for anticipatory bail, being CRM 4368 of 2020 is, thus, dismissed.

In view of dismissal of the application for anticipatory bail, the connected application, being CRAN 1 of 2020 (Old No. CRAN 2537 of 2020), is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)