

27.08.2021  
Item no. 106  
Court No.32.  
S.De  
(allowed)

**(Via Video Conference)**

**CRM No. 3027 of 2021**

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 25.03.2021 in connection with Krishnagar Kotwali Police Station Case No. 958 of 2020 dated 11.12.2020 under Sections 498A/304B/34 of the Indian Penal Code and Sections 498A/325/308/34 of the Indian Penal Code.

And

**In the matter of : Chittaranjan Kundu @ Chitta &**

**Ors.**

.....Petitioners.

Mr. Snehansu Majumder, Advocate,  
.....for the Petitioners.

Mr. Narayan Prasad Agarwala, Advocate,  
Ms. Subhasree Patel, Advocate,  
.....for the State.

The petitioner nos. 1 and 2 are the parents-in-law and the petitioner no.3 is the husband of the victim. We are told that the charge under Section 308 of the Indian Penal Code has not been included in the charge-sheet which has been submitted.

We have seen the material in the case diary including statements of witnesses recorded under Section 161 of the Code of Criminal Procedure.

On an overall assessment of the material on record and the nature of the allegation as also the possible extent of complicity of the petitioners in the alleged offence and keeping in view that charge-sheet has already been submitted, we are of the opinion that immediate custodial interrogation of the petitioners may not be necessary.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 petitioners fail 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 3027 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.)**