

CRM 3042 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdaha Police Station** Case No. **307 of 2020** dated **28.10.2020** under Sections **498A/304B/34** of the Indian Penal Code.

- A n d -

In the matter of : Rakhi Mallick @ Rakhi Mridha & Anr.

.... Petitioners.

Ms. M. Gomes
Mr. M. H. Chowdhury,
Mr. S. Karmakar,

... For the Petitioners.

Mr. S. G. Mukherjee, Ld. PP,
Mr. A. Mitra,

... For the State.

The petitioners renew their prayer for bail which was rejected on 29 November 2020 in CRM 9266 of 2020. The petitioners say that at that time charge sheet was yet to be filed. Subsequently, charge sheet has been submitted on 29 December 2020. In view of changed circumstances, the present application has been made.

The petitioners are the victim's sister-in-law and her husband. The petitioners say that they, at all material times, resided separately from the victim. They have no role to play in the death of the victim. Charge sheet has been submitted. They are fully prepared to cooperate with further investigation, if any.

We have seen the material in the case diary. The statements of witnesses recorded under Section 164 of the Code of Criminal Procedure contain general allegations against the relatives of the husband of the victim. The main allegation is against the husband who has been granted bail after being apprehended.

On an overall assessment of the facts and circumstances of the case and the material on record and considering the possible extent of complicity of the petitioners in the alleged offence, we are of the view that immediate custodial interrogation of the petitioners is not necessary so long as they cooperate with further investigation, if any.

Accordingly, in the event of arrest, the petitioners, namely, **Rakhi Mallick @ Rakhi Mridha** and **Kamal Mridha** 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 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 3042 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.)**