

CRM 3551 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak Police Station** Case No. **101 of 2021** dated **15.03.2021** under Sections **498A/302/109/34** of the Indian Penal Code.

- A n d -

In the matter of : Rabiul Momin & Ors.

.... Petitioners.

Mr. A. Kr. Bhowmick,

... For the Petitioners.

Mr. Tanmay Kr. Ghosh,
Mr. A. Sen,

... For the State.

The petitioners are in-laws of the victim lady who allegedly died because of effect of poison. It is not clear whether she consumed poison herself or poison was administered on her. The statements of witnesses in the case diary are ambiguous on that score.

The petitioners submit that the husband of the victim was apprehended and has been enlarged on bail.

We have considered the material in the case diary and the overall facts and circumstances of the case. We are of the view that given the extent of possible complicity of the petitioners in the alleged offence, their immediate custodial interrogation is not necessary so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely, **Rabiul Momin, Aminul Momin, Mina Bewa, Sahajadi Bibi** and **Afsana Bibi** 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 and on further conditions that the petitioner nos. 1 and 2 shall report to the Investigating Officer once in a fortnight 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 3551 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.)