

15.09.2021
Item no.05
Court No.32.
S.De
(Allowed)

(Via Video Conference)

CRM No. 3837 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 24.05.2021 in connection with Chinsurah Police Station Case No. 90 of 2021 dated 15.02.2021 under Sections 498A/306 read with Section 406 of the Indian Penal Code.

And

In the matter of : Banirupa Mukherjee @ Bani

Mukherjee.

.....Petitioner.

Mr. Milon Mukherjee, Ld. Sr. Advocate,
Mr. Biswajit Manna, Advocate,
.....for the Petitioner.

Ms. Zareen N. Khan, Advocate,
Ms. Sreeparna Das, Advocate,
.....for the State.

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

The petitioner says that she has absolutely no role to play in the death of the victim. The father-in-law and the husband of the victim have been granted bail by the learned Magistrate. Chargesheet has been submitted. Her custodial interrogation is not at all necessary.

We have seen the material in the case diary including statements of neighbours. The allegations are general and omnibus in nature. there is nothing specific against the petitioner.

On an overall assessment of the material on record and the facts and circumstances of the case as well as the possible extent of complicity of the petitioner in the alleged offence, we are of the opinion that immediate custodial interrogation of the petitioner is not necessary.

Accordingly, in the event of arrest, the petitioner namely **Banirupa Mukherjee @ Bani Mukherjee** 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 case the petitioner fails 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 3837 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.)

