

11.06.2021

(Sl. No. 73)

Ct. No. 28

(S. Banerjee/TB)

CRM 3776 of 2021

(through Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 24.05.2021 in connection with Chakdah Police Station Case No. 194 of 2021 dated 04.05.2021 under Sections 498A/304(B)/34 of the Indian Penal Code, 1860.

And

In the matter of: Jamuna Halder @ Sagari Halder & Ors.
...petitioners

Mr. Shibaji Kumar Das

... for the petitioners

Mr. Rana Mukherjee, APP
Mr. Narayan Prasad Agarwal
Mr. Pratick Bose

... for the State

Counsel for the petitioner submits that the principal accused, the husband, is in custody and the petitioners are the mother-in-law, sister-in-law and brothers-in-law of the victim.

There is also evidence to show prior neurological illness of the victim.

In that view of the matter and given the fact that there is no allegation against the petitioners, the petitioners shall be entitled to get relief under Section 438(2) of the Code of Criminal Procedure.

Accordingly, in the event of arrest the petitioners shall be released on bail subject to satisfaction of conditions under Section 438(2) of the Code of Criminal Procedure and upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the investing officer, subject to condition that the petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any

manner whatsoever and on further condition that the petitioners shall not enter the jurisdiction of the police station except for the purpose of the investigation and attending court proceedings and shall provide the address where they shall reside while on bail to the investigating officer as well as the court below and shall report to the officer in charge of the concerned police station within whose jurisdiction they shall reside once in a week until further orders. The petitioners shall surrender their passport to the investigating officer and if they do not possess a passport, shall submit an affidavit to that effect before the investigating officer.

In the event of arrest if the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail in accordance with law without further reference to this court.

The application for anticipatory bail is, thus, disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Rajasekhar Mantha, J.)

(Biswajit Basu, J.)