

CRM 3823 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Harin Ghata Police Station Case No.70 of 2021 dated 01-04-2021 under Sections 498/A, 306 & 34 of the Indian Penal Code.

- A n d -

In the matter of : Tarak Banerjee & Ors.

.... Petitioners.

Mr. Sudip Samadder

... For the Petitioners.

Ms. Faria Hossain,
Mr. Aniket Mitra

... For the State.

Learned advocate for the petitioners does not press this application on behalf of the petitioner nos.1 and 2 as they have been arrested and granted bail by the learned trial Court. This application for anticipatory bail is dismissed insofar as petitioner nos.1 and 2 are concerned.

The petitioner no.3 is the mother-in-law and the petitioner no.4 is the sister-in-law of the victim lady, who is said to have committed suicide by consuming poison fourteen years after marriage.

The allegation is that the victim used to be tortured by the husband's family. The husband resides in Mauritius where he works.

We have seen the statements of witnesses in the Case Diary. The allegations of torture are general and omnibus without specific details. Charge Sheet has been submitted upon completion of investigation.

On an overall assessment of the material in the Case Diary and the facts and circumstances of the case, we are of the view that immediate custodial interrogation of the petitioner nos.3 and 4 is not necessary.

Accordingly, in the event of arrest, the petitioner nos.3 and 4, respectively namely, **Sandhya Banerjee** and **Champa Chakraborty**, shall be released on bail upon furnishing bonds of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. The petitioners shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In the event the petitioner nos.3 and 4 fail to adhere to any of the conditions stipulated above, 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 3823 of 2021 is, thus, **disposed of**.

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.)**