

CRM 4031 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Udaynarayanpur Police Station** Case No. **97 of 2008** dated **15.12.2008** under Sections **498A/306/34** of the Indian Penal Code.

- A n d -

In the matter of : Smt. Papiya Chongdar @ Papiya Chongdar

.... Petitioner.

Mr. D. K. Sharma,

... For the Petitioner.

Mr. S. G. Mukherjee, Ld. APP,

Mr. A. Mitra,

... For the State.

The petitioner says that she is a married sister-in-law of the victim/complainant. The charge is under Sections 498A/306/34 of the Indian Penal Code. She says that her previous application for anticipatory bail was rejected in 2009. She could not surrender thereafter because she was pregnant at that point of time and soon thereafter gave birth to a baby. In 2020 a similarly placed accused person being another sister-in-law of the victim has been granted bail by the Learned Trial Court. Accordingly, she prays for anticipatory bail.

The State opposes the prayer for anticipatory bail. The State points out that the case is of 2008. Charge sheet was filed in 2009. The petitioner has been absconding at all material times. Because of her, the case could not be proceeded with.

We are not satisfied with the *bona fides* of the petitioner. She is obviously trying to avoid the court for the last 12 years. On an overall assessment of the material on record and the conduct of

the petitioner, we are not inclined to allow the petitioner's prayer for anticipatory bail.

The prayer for anticipatory bail is rejected.

CRM No. 4031 of 2021 is, thus, dismissed.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)