

30.11.2021
Court No.32
rpan / 157

C.R.M. 4122 of 2021

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Nurangina Begam & Others**

- Petitioners

Mr. Parvej Anam

....For the Petitioners.

Mr. Bidyut Kr. Roy,

Ms. Rita Datta

....For the State

Apprehending arrest in connection with Uluberia Police Station Case No. 144 of 2021 dated 25.04.2021 under Sections 498A/307/34 of the Indian Penal Code, 1860, the present application has been preferred.

The learned advocate appearing for the petitioners submits that the petitioner no.1 is the mother-in-law, the petitioner nos.2 and 3 are the brothers-in-law and the petitioner no.4 is the husband of the victim lady. They have all been falsely implicated in an alleged incident which occurred about nine years after the marriage. The petitioner no.4 married the victim and from the said wedlock two children were born. The allegations are omnibus in nature and in the said conspectus, custodial interrogation is not warranted.

Ms. Datta, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary, including the statements of the witnesses, as recorded under Section 161 of the Code and the

injury reports. She further submits that investigation is not yet complete.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, the allegation that there was an attempt on the part of the petitioners to pour kerosene oil upon the victim does not stand corroborated through the statements of the witnesses and the injury reports. The other allegations also appear to be omnibus in nature.

Considering the nature of such allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation is not necessary.

Accordingly, we allow this application and direct that in the event of arrest the petitioners, namely, **1. Nurangina Begam, 2. Sahin Molla, 3. Naimuddin Molla** and **4. Latibuddin Molla** shall be released on bail upon furnishing a bond of ₹10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioner nos.2, 3 and 4 shall meet with the Investigating Officer once a week on and from 6th December, 2021 till investigation is over.

The application for anticipatory bail, being CRM No. 4122 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.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)