

12. 13.09.2021

Ct.32

Tanmoy

Allowed

C.R.M. 4084 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **14/06/2021** in connection with **Chanchal Police Station Case No. 318/2021** dated **03/05/2021** under Sections **498A/302/304B** of the Indian Penal Code read with Sections **3/4** of the Dowry Prohibition Act.

And

In the matter of: - **Aktari Bibi & Ors.**

....petitioners.

Mr. A. Bhattacharjee,
Mr. Sagar Saha

...for the petitioners.

Mr. S. G. Mukherji, Ld. P.P.,
Ms. Faria Hossain,
Mr. Aniket Mitra

...for the State.

Learned Advocate for the petitioners submits that he has instructions not to press his application for anticipatory bail on behalf of the petitioner nos. 2 and 3, *viz.*, **2. Jahed Ali** and **3. Rafikul Islam.**

Accordingly, this application for anticipatory bail is dismissed as not pressed as regards the petitioner nos. 2 and 3.

The other petitioners are in-laws of the victim lady who committed suicide by hanging herself.

We have seen the material in the Case Diary including the statements of neighbours. The prime allegation is against the husband who is in custody. Charge-sheet has already been submitted.

On an overall assessment of the facts and circumstances of the case and the material on record we are of the view that

immediate custodial interrogation of the petitioner nos. 1 and 4-8 is not necessary so long as they co-operate with further investigation, if any.

Accordingly, in the event of arrest, the petitioners, *viz.*, **1. Aktari Bibi, 4. Sahajamal, 5. Gulzar Hossain @ Lalua, 6. Ismetara Bibi, 7. Mantusha Bibi, 8. Putli Bibi** shall be released on bail upon furnishing a bond of Rs.10,000/- each 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.

In case the petitioners fail 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 being C.R.M. 4084 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)