

20.12.2021
tkm/ct 28
sl no. 4

C.R.M. 4135 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Palashipara P.S case no. 220 of 2021 dated 12.6.2021 under sections 498A/304B/306/34 of the Indian Penal Code and sections 3/4 of the DP Act
And

Allowed

In Re : Alifa Bibi @ Alifa Bibi Sk & Ors. petitioners

Mr. Rana Mukherjee
Mr. A Islam
Mr. S Mukherjee

..... for the petitioners

Mr. Imran Ali
Ms. Manasi Roy

..... for the State

Mr. M K Das
Mr. Asraf Mandal

..... for the de facto complainant

Mr. Mukherjee files supplementary affidavit containing relevant materials. He submits that the couple had separated. Subsequently, victim committed suicide at her parental home.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Allegation of torture upon the victim by the petitioners who are her in-laws requires to be assessed in the light of the aforesaid circumstance as submitted on behalf of the petitioners.

In view of the aforesaid facts, we are of the opinion custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, to the

satisfaction of the Arresting Officer and also be subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 4135 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)