

CRM No.5165 of 2021

Via video conference

07.12.21

(S.R.)

Sl.187

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Taherpur** Police Station Case No.179 of 2021 dated 20/07/2021 under Sections 498A/304B/34 of the Indian Penal Code;

And

In re: Smt. Debi Mondal & Ors.

... petitioners.

Mr. Arnab Chatterjee

... for the petitioners.

Mr. S.G. Mukherjee, PP

Ms. Faria Hossain

Mr. Aniket Mitra

...for the State.

Mr. Chatterjee, learned advocate appearing for the petitioners submits that the petitioner no.1 and the petitioner no.2 are the mother-in-law and brother-in-law of the victim lady. The petitioner nos.3 and 4 are the aunt-in-law and married sister-in-law of the victim lady who did not share the same mess. They have been falsely implicated in an incident which occurred about 3 years after the marriage. The allegations are *omnibus* in nature. The victim lady committed suicide. Upon completion of investigation charge sheet has also been submitted and as such, custodial interrogation is not necessary.

Mr. Mitra, 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 and the post-mortem report.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations, the post-mortem report and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation is not warranted more so when upon completion of

investigation charge sheet has been submitted.

Accordingly, we direct that in the event of arrest the petitioners, namely, **1. Smt. Debi Mondal, 2. Parimal Mondal, 3. Jasho Mondal @ Jashoda Biswas and 4. Dipika Mondal @ Biswas** will 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioners shall not intimidate the witnesses or tamper with evidence in any manner whatsoever and shall attend the learned trial court on all the dates specified for hearing.

It is made clear that in the event the petitioners fail to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel their bail without any further reference to this Court.

The application for anticipatory bail being CRM No.5165 of 2021 is, accordingly, 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.)