

14.12.2021.3

39.

as

(Allowed).

C.R.M. 5261 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Nalhati P. S. Case No.267 of 2020 dated 27.12.2020 under Sections 498A/307/120B of the Indian Penal Code and adding Sections 302 and 304 of the Indian Penal Code.

In the matter of : Barjahan Sekh @ Barzahan Sekh & Anr.
... Petitioners.

Mr. Prosenjit Mukherjee,
Ms. Poulumi Dutta.

...for the Petitioners.

Mr. S. S. Imam,
Mr. Arabinda Manna.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that petitioner no.1 is the husband and petitioner no.2 is the married sister-in-law of the victim housewife. They have been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record including the dying declaration of the deceased wherein she has specifically named her father-in-law and mother-in-law as the persons who set her on fire.

In view of the aforesaid facts and the extent of complicity of the petitioners in the alleged crime, we are inclined to grant anticipatory bail to the petitioners.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)