

14.12.2021

Serial no. 56

Dd

(Through Video Conference)

CRM 5443 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Habra** Police Station Case No. **139** of **2021** dated **15th March, 2021** under Sections **498A/302/120B** of the Indian Penal Code and thereafter charge sheet have been submitted under Section 498A/306/34 IPC.

-And-

In the matter of : **Sabitri Halder**

... Petitioner

Mr. Arnab Das, Advocate

... .. For the Petitioner

Mr. S. G. Mukherjee, Id. PP

Ms. F. Hossain,

Mr. Aniket Mitra, Advocates

... ..For the State

It is submitted on behalf of the petitioner that the petitioner is not related to the deceased housewife. Ingredients of offences punishable under Section 306 IPC are not disclosed in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail. He submits that the petitioner had an illicit affair with the husband of the deceased. Both of them abetted the suicide.

We have considered the materials on record. Although the statements speak of illicit relationship between the petitioner and the husband of the deceased, there is no direct evidence to show that the petitioner had incited the deceased to commit suicide.

Keeping in mind the extent of complicity of the petitioner in the alleged crime, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 and on further condition that the petitioner shall appear before the Court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, **allowed**.

(Joymalya Bagchi, J.)

(Bivas Pattanayak, J.)