

CRM 5473 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tapan Police Station** Case No. **9 of 2021** dated **09.01.2021** under Sections **498A/304B/34** of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

- A n d -

In the matter of : Kalpana Das & Anr.

.... Petitioners.

Mr. Biswajit Manna,

... For the Petitioners.

Mr. D. Chatterjee, Ld. APP

Mr. M. Roy,

... For the State.

The petitioner no. 1 is the mother-in-law and the petitioner no. 2 is the sister-in-law (victim's husband's brother's wife) of the victim. Apparently, the victim committed suicide by consuming poison.

The petitioners say that they have been falsely implicated. They have no role to play in the death of the victim. The victim consumed poison at her parental house.

We have seen a suicide note left behind by the victim and also statement of the victim's brother recorded under Section 164 of the Code of Criminal Procedure. None of those two statements specifically implicate the present petitioners. The husband and brother-in-law of the victim are in custody. Charge sheet has been submitted.

On an overall assessment of the material on record and the possible extent of complicity of the petitioners in the alleged offence, we are of the opinion that immediate custodial interrogation of the petitioners is not necessary.

Accordingly, in the event of arrest, the petitioners, namely, **Kalpana Das** and **Shyamali Das** 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 until further orders.

In the event the petitioners fail to adhere to any of the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 5473 of 2021 is, thus, allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Bivas Pattanayak, J.**)

(**Arijit Banerjee, J.**)