

10.12.2021
Court No.32
Item No. 193
Krishnendu
Partly allowed

**C.R.M. 6090 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Smt. Anjana Dinda & Anr.**

Petitioners

Mr. S.Shah
Mr. Aninda Bhattacharya
Mr. S. Halder

For the Petitioners

Mr. Arijit Ganguly
Mr. S.K.Dan

For the State

Apprehending arrest in connection with Pingla Police Station Case No. 306 of 2019 dated 26.10.2019 under Sections 498A/302/304B/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act, the present application has been preferred.

On the prayer of the learned advocate appearing for the petitioners, the present application, so far as the petitioner no. 2, Sri Amit Dinda, is concerned, is dismissed as 'not pressed'.

He submits that the petitioner no. 1 is the mother-in-law of the victim lady and she has been falsely implicated. The allegations are omnibus in nature. Upon completion of investigation, charge sheet has also been submitted and as such custodial interrogation is not warranted.

The learned advocate appearing for the State opposes the prayer of the petitioner no. 1 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 and the extent of complicity of the petitioner no.1 in the alleged offence, we are of the opinion that custodial interrogation of the petitioner no. 1 is not warranted as, *prima facie*, there is no possibility that the petitioner no. 1 would flee from justice or would delay the trial by abscondance. Furthermore, upon completion of investigation, charge sheet has also been submitted. Accordingly, the prayer for anticipatory bail of the petitioner no. 1 is allowed.

Hence, we direct that in the event of arrest the petitioner no.1, namely, **Smt. Anjana Dinda**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and with further directions that the petitioner no. 1 shall attend the learned court below on all the dates, as specified for hearing and shall not intimidate the witnesses or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner no. 1 fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel her bail without any further reference to this Court.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 6090 of 2021 , is 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)