

16.12.2021.
53.
as
(Allowed).

C.R.M. 6185 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Pingla P. S. Case No.200 of 2021 dated 10.07.2021 under Sections 498A/302/201/34 of the Indian Penal Code .

In the matter of : Dulari Bibi & Ors.

... Petitioners.

Mr. Tushar Kanti Har,
Mr. Somnath Chakraborty.

...for the Petitioners.

Mr. S. S. Imam,
Ms. Sonali Bhar.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that they are in-laws 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. He submits that victim housewife was tortured and had committed suicide.

We have considered the materials on record. Allegations of torture are general and omnibus in nature. Incident occurred 8 years after marriage. Statutory presumptions under Sections 113A and 113B of the Evidence Act are not disclosed in the facts of the case. Investigation is complete.

Under such circumstances, we are of the opinion that the petitioners may be granted anticipatory bail.

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.)