

CRM 6425 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Priyanka Kumari @ Priyanka Singh & Anr.**
..... petitioners

Ms. Jeenia Rudra

.....For the petitioners

Mr. P. K. Datta, Ld. APP
Mr. Santanu Deb Roy

.....For the State

Apprehending arrest in connection with Serampore Police Station Case No. 34 of 2021 dated 26.01.2021 under Sections 498(A)/302/406 of the Indian Penal Code, 1860 read with Sections 3/4 of Dowry Prohibition Act, the present application has been preferred.

The learned advocate appearing on behalf of the petitioners submits that the petitioners are the sisters-in-law of the victim. The petitioner no. 1 is married. They have been falsely implicated. No overt act has been attributed to them. Upon completion of investigation, charge sheet has been submitted and as such, custodial interrogation is not warranted, more so when some in-laws have been granted bail by the learned Court below and the mother-in-law has been granted anticipatory bail by a coordinate Bench of this Court on 16th November, 2021 in CRM 6900 of 2021.

The learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several

documents including the statements of the witnesses and the post mortem report.

Having heard 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 petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not necessary more so when upon completion of investigation, charge sheet has also been submitted. There is also no likelihood that the petitioners would flee from justice or delay the trial by abscondence.

Accordingly, we allow this application and direct that in the event of arrest the petitioners, namely, **Priyanka Kumari @ Priyanka Singh** and **Nilima Kumari Singh** 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, 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.

It is further directed that the petitioners shall not tamper with the evidence and/or intimidate the witnesses. They shall also attend learned Court below on all the dates, as specified for hearing.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM 6425 of 2021, is, thus, 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.)