

10.11.2021

CRM 6922 of 2021

court no. : 28
Item no. : PB-39
matter : 438
status : ALLOWED
transcriber : nandy

In Re:- An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 25.10.2021 in connection with Margram Police Station Case No. 133 of 2021 dated 19.07.2021 under Sections 498A/304B/306 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No. 1010 of 2021)

and

In the matter of: **Sabina Bibi & Anr.**

.....Petitioners

Mr. Bitosok Banerjee, Advocate

.....for the Petitioners

Ms. Sujan Chatterjee, Advocate

.....for the State

Apprehending arrest in connection with Margram Police Station Case No. 133 of 2021 dated 19.07.2021 under Sections 498A/304B/306 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, the petitioners have filed the instant application for anticipatory bail.

It is submitted that the petitioners being the mother-in-law and father-in-law of the victim lady have been unnecessarily entangled in the instant case where they had no role to play in abetting the victim lady to commit suicide. It is further submitted that the husband of the victim lady has already been enlarged on bail.

Learned Advocate for the State opposes the prayer for anticipatory bail. She fairly concedes that the husband of the victim lady has already been enlarged on bail and the allegation is omnibus in nature.

After hearing the respective Counsel and on perusal of the materials-on-record, more particularly, the fact that the allegation

is omnibus in nature and attributable to the conduct of the parties and furthermore, the husband of the victim lady has already been enlarged on bail, we feel that it is a fit case where the petitioners should be granted anticipatory bail. In addition to the same, we cannot overlook the fact that the victim lady has committed suicide by consuming poison.

As such, the prayer for anticipatory bail is **allowed**.

Accordingly, in the event of arrest the petitioners namely, **Sabina Bibi & Muntaj Mondal**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer, on condition as laid down under Section 438(2) of the Code of Criminal Procedure and on further condition that the petitioner no. 1 shall meet the I.O. as and when required and the petitioner no. 2 shall meet the I.O. once in fortnight and as and when called for. Default on any solitary occasion without any justifiable cause shall disentitle the petitioners to the privilege of Section 438 of the Code of Criminal Procedure granted by this Court.

The application for anticipatory bail being **CRM 6922 of 2021** is thus **disposed of**.

(Harish Tandon, J.)

(Rabindranath Samanta, J.)

