

17.12.2021

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Allowed

**C.R.M. 7883 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Itahar Police Station Case No. 705 of 2021 dated 13.11.2021 under Sections 498A/302/34 of the Indian Penal Code.

And

In Re : Tajenur Bibi @ Marjina Khatun & Anr. petitioners

Mr. Kaushik Chowdhury
Ms. Bushra Khatoon

.....for the petitioners

Mr. Avijit Ganguly
Mr. Avik Ghatak

....for the State

It is submitted by the learned Counsel appearing for the petitioners they are in-laws of the victim housewife and have been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes the prayer for anticipatory bail and submits that the victim housewife was subjected to torture and committed suicide within five years of marriage.

We have considered the materials on record. Allegations of torture against the petitioners are general and omnibus in nature. Husband of the victim housewife has already been arrested.

In view of the aforesaid facts, we are of the opinion that custodial interrogation of the petitioners is not necessary and they 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioners shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)