

17.12.2021
SL No.51
Ct. 28
Saswata

CRM 7924 of 2021

In Re: - An application for bail under Section 438 of the Code of Criminal Procedure filed in connection with **Barasat** P.S. Case No. **15/2021** dated **08.01.2021** under Sections **306/34** of the Indian Penal.

And

In the matter of: **Sabita Jana & Ors.**

....Petitioners

Mr. Mrityunjoy Chatterjee

Mr. Saroj Banerjee

Mr. Debapriya Majumder

...for the Petitioners

Mr. Binay Panda

Mr. Subham Bhakat

...for the State.

It is submitted on behalf of the petitioners that they are distant relations of the wife of the deceased. They have been falsely implicated in the instant case. Wife and mother-in-law of the deceased are on regular bail.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record including the suicide note. In the suicide note, the victim expressed dissatisfaction over an illicit affair between his wife and one Amit. It is alleged petitioners have encouraged such relationship. Wife and mother-in-law of the deceased were arrested and enlarged on regular bail.

Keeping in mind the aforesaid facts and the extent of complicity of the petitioners in the alleged crime, we are of the opinion that they may be granted anticipatory bail.

The prayer for anticipatory bail is thus allowed.

Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a Bond of Rs. 10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each one of whom must be local, to the satisfaction of the arresting officer and also 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 Court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Joymalya Bagchi, J.)

(Bivas Pattanayak, J.)