

25.02.2021
Court No.28
Item No. 25
Krishnendu
Allowed

**C.R.M. 10194 of 2020
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438
of the Code of Criminal Procedure ;

And

In Re : **Ganesh Chandra Sarkar & Ors.**

Petitioners

Mr. Sudipto Moitra
Mr. Samiran Mandal
Mr. Abhinaba Das
Mr. Nitish Samanta

For the Petitioners

Mr. S.G. Mukherjee, Id. P.P.
Mr. Aniket Mitra

For the State.

Apprehending arrest in connection with Joypur Police
Station Case No. 77 of 2020 dated 16.09.2020 under Sections
498A/304B/34 of the Indian Penal Code, the petitioners have
filed the present application.

The petitioners are the brothers-in-law, sisters-in-law and
mother-in-law of the deceased respectively. Mr. Moitra,
learned advocate for the petitioners submits that the
petitioners are innocent of the charges and have been
implicated solely for the reason that they happen to be the
relations of the husband of the deceased. He further submits
that the main thrust of the allegations is against the husband,
who has already been arrested in connection with this case.

Mr. Mukherjee, learned Public Prosecutor appearing for the
State, opposes the prayer for anticipatory bail and draws the
attention of this Court to the statements of different

witnesses. He further submits that investigation in this case has been concluded and charge sheet has already been submitted.

We have perused the materials in the case diary and on assessment of the same, we are of the opinion that custodial detention of the petitioners may not be warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, in the event of arrest the petitioners, viz. **Ganesh Chandra Sarkar, Kalpana Sarkar, Ramesh Sarkar, Mallicka Sarkar and Pusparani Sarkar**, 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, 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.

The application for anticipatory bail, being CRM 10194 of 2020, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)