

11.01.21
S.R.
Sl.93
Ct.28

CRM No.10697 of 2020

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Chanditala Police Station Case No.178 of 2019 dated 30.04.2019 under Sections 376(2)(f)(n)/120B of the Indian Penal Code;

And

In re: Monira Begum @ Manira Mallik @ Monira Beegum
... petitioner.

Mr. Rabi Sankar Chattopadhyay

Mr. Amiruddin Khan

Ms. Payel Shome ... for the petitioner.

Mr. Saryati Datta ...for the State.

The learned advocate for the petitioner submits that the petitioner happens to be the elder sister-in-law of the principal accused and aunt-in-law of the victim. Additionally, learned advocate for the petitioner submits that the role of the petitioner as described in the FIR and all subsequent materials collected in course of investigation are very vague, warranting her detention in custody.

Mr. Datta, learned advocate appearing for the State submits that the prayer for anticipatory bail of the petitioner was rejected earlier by the Court below and there are sufficient materials implicating the petitioner in the alleged offence.

Having regard to the materials in the case diary and the nature of incriminating materials appearing in case diary, we are of the opinion that the custodial interrogation of the petitioner is not warranted in connection with this Case. As such, prayer for anticipatory bail is allowed

Accordingly, we direct that in the event of arrest the petitioner, namely, **Monira Begum @ Manira Mallik @ Monira Beegum**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, 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. The petitioner shall attend the trial Court on each and every date of hearing and shall not create any impediment in the smooth progress of the trial.

The application for anticipatory bail being CRM No.10697 of 2020 is, thus, allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)