

09.03.21 In re: An application for anticipatory bail under Section 438 of the
(S.R.) Code of Criminal Procedure filed in connection with **Ramnagar** Police
Sl.136 Station Case **No.171 of 2020** dated **23.07.2020** under Sections
Ct.28 **498A/304B/34** of the Indian Penal Code, 1860 (G.R. Case **No.1023 of 2020**);

And

In re: Bula Mali @ Anju Mali

... petitioner.

Mr. Mazhar Hossain Chowdhury
Mr. Suman Karmakar
Ms. Ayana Dey

... for the petitioner.

Mr. Tanmoy Kr. Ghosh
Ms. Sima Biswas

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner is the mother-in-law of the victim lady and is aged about 55 years. She has been falsely implicated. The husband and the father-in-law of the victim lady have already been enlarged on bail. In view of the nature of allegations, custodial interrogation of the petitioner is not warranted. He further submits that the victim lady was suffering from neurological disorder and she committed suicide. In support of such contention, he has drawn our attention to the medical reports, as annexed to the writ petition.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses as recorded under Section 161 of the Code as well as the post-mortem report.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation of the petitioner is not warranted in the facts and circumstances of the case.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Bula Mali @ Anju Mali** shall be released on bail upon furnishing a bond of Rs.10,000/- 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.

Accordingly, the application for anticipatory bail being CRM No.10845 of 2020 is allowed.

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.)