

11.03.2021
Item no.26
Court No.28
Avijit Mitra

C.R.M. 10878 of 2020 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Habra Police Station Case No.221 of 2019 dated 03.06.2019 under Sections 498A/326/307/34 of the Indian Penal Code and subsequently added Section 302 of the Indian Penal Code;

And

In Re : Mina Rani Banik

.... Petitioner

Mr. Debasis Kar,
Mr. Subhajit Chowdhury,
Mr. Soumen Ghosh
...for the petitioner

Mr. Arijit Ganguly,
Mr. Avik Ghatak
...for the State

Learned advocate appearing for the petitioner submits that the petitioner is the mother-in-law of the victim. The son of the petitioner married the victim lady in the year 2018. The principal accused is the husband and he has already been enlarged on bail. In the said conspectus, custodial interrogation of the petitioner is not warranted more so when, she is a lady.

Learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the dying declaration.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the dying declaration and the extent of complicity of the petitioner in the alleged offence, we are not inclined to

exercise any discretion in favour of the petitioner and as such, the prayer for anticipatory bail is rejected.

Accordingly, the application being C.R.M. No.10878 of 2020 is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)