

28.06.2021

Court No.30

rpan/ **20**

C.R.M. 10945 of 2020
(Via video Conference)

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

And

In re: **Janhabi Mistry @ Jannabi Mistri**

.....Petitioner.

Mr. Surajit Basu

....For the Petitioner.

Mr. Saibal Bapuli,

Mr. Arijit Ganguly,

Mr. Sanjib Kr. Dan

....For the State

Apprehending arrest in connection with Barasat Police Station Case No.284 of 2020 dated 28.06.2020 under Sections 498A/304B/306/34 of the Indian Penal Code, the petitioner has filed the present application.

Mr. Basu, learned advocate appearing for the petitioner, submits that the petitioner has been falsely implicated. She is the mother-in-law of the deceased and is aged about 60 years. The father-in-law of the deceased had already been granted bail by an co-ordinate Bench of the Court. The allegations are omnibus in nature and upon completion of investigation, charge-sheet has also been filed. In the said conspectus, custodial interrogation of the petitioner is not necessary.

Mr. Bapuli, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary, including the post-mortem report.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the post-mortem report and the extent of complicity of the petitioner, who is presently aged about 60 years, we are of the opinion that custodial interrogation of the petitioner is not warranted in the facts and circumstances of the case, more so, when upon completion of investigation, charge-sheet has already been filed. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Janhabhi Mistry @ Jannabi Mistri** shall be released on bail upon furnishing a bond of ₹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.

The application for anticipatory bail, being CRM No. 10945 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.

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)