

12.03.2021.
Item No.141
(Allowed)

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C.R.M. 11051 of 2020

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 21.12.2020 in connection with Islampur Police Station Case No. 594 of 2020 dated 14.10.2020 under Sections 498A/306/34 of the Indian Penal Code;

And

In the matter of : **Hawa Bibi @ Hawa Khatun Bibi**
and others. ... petitioners.

Mr. Mritunjoy Chatterjee,
Mr. Md. G. N. Imrohi. ...For the petitioners.

Mr. Narayan Prosad Agarwala,
Ms. Subhashree Patel. ...For the State.

Apprehending arrest in connection with Islampur Police Station Case No. 594 of 2020 under Sections 498A/306/34 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

The learned Advocate for the petitioners submits that the victim committed suicide after ten years of marriage. The husband of the victim is on bail.

The learned Advocate for the State opposes the prayer for anticipatory bail.

Upon perusal of the case diary and having regard to the complicity of the petitioners in alleged offence, we feel that the custodial interrogation of the petitioners, who are the sister in-law, mother in-law and father in-law of the victim, may not be necessary.

Accordingly, we direct that in the event of arrest the petitioners 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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and with further condition that the petitioners shall make themselves available before the investigating officer as and when called for and cooperate with the investigation.

This application for anticipatory bail is, thus, **allowed**.

(Harish Tandon, J.)

(Kausik Chanda, J.)