

C.R.M. 11179 of 2020

Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Duttapukur Police Station Case No. 566 of 2020 dated 03.08.2020 under section 498A/306/506/34 of the Indian Penal Code.

In re : Sufiya Bibi & anr.

... Petitioners.

Mr. Sk. Hasan Salahauddin,
Ms. Reshmi Rehman

... for Petitioners.

Mr. Narayan Prasad Agarwala,
Mr. Ashok Das

... for State.

Re: C.R.A.N. 1 of 2021

C.R.A.N. 1 of 2021 is restoration application. It has been made in time. We accept the cause shown. Order dated 12th March, 2021 is recalled and the petition restored to file and number.

The present application under section 438 of the Code of Criminal Procedure, 1973 is taken up for hearing and order.

Petitioners are mother and father-in-law of the victim, who had committed suicide. Mr. Salahauddin, learned advocate appears on their behalf and submits, the accused persons were arrested and since enlarged on bail. His clients are aged persons. They have no connection with the incident. Mr. Agarwala, learned advocate appears on behalf of State and opposes the petition. He hands up case diary and submits, investigation is complete and charge sheet submitted.

Considering materials in the case diary and the circumstances aforesaid, we are inclined to grant anticipatory bail to petitioners.

Accordingly, we direct that in event of arrest, the petitioners shall be released on anticipatory bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand) only each with two sureties of like amount each 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 application for anticipatory bail is, accordingly, allowed.

C.R.M. 11179 of 2020 is disposed of. C.R.A.N. 1 of 2021 is allowed and disposed of.

(Arindam Sinha, J.)

(Kausik Chanda, J.)