

13.09.2021
Item no.33.
Court No.32.
AB
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
(Via Video Conference)**

CRM No. 512 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Haldibari Police Station Case No.147 of 2020 Dated 27.10.2020 under Sections 498A/304B of the Indian Penal Code

And

In the matter of : Ritu Khatun & Anr.

.....Petitioners.

Ms. Madhushri Duttafor the Petitioners.

Mr. Nilay Chakraborty,
Mr. Biswaroop Royfor the State.

The petitioners are the mother-in-law and sister-in-law of the victim lady, who is alleged to have committed suicide.

The petitioners say that they had no role to play in the death of the victim. The husband and father-in-law of the victim have been granted bail by the learned Trial Court. Charge sheet has been submitted and their custodial interrogation is no more necessary.

The State produces the case diary. We have seen the statements of neighbours recorded under Section 161 of the Code of Criminal Procedure. The allegations are omnibus in

nature against all the accused persons. The statements do not make any specific allegations against the present petitioners.

Considering that charge sheet has already been submitted and the possible extent of complicity of the petitioners in the alleged offence and also the fact that the husband and father-in-law of the victim lady have been granted bail, we are of the view that immediate custodial interrogation of the petitioners is not necessary.

Accordingly, in the event of arrest, the petitioners, namely Ritu Khatun and Hasina Khatun @ Jyoshana Parvin 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.512 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)

