

05.08.2021

Court No.28
Item No.23
(ALLOWED)

Saswata

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

(Via Video Conference)

CRM 714 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Bhaktinagar Police Station Case No. 147 of 2021 under Sections 498A/306/304B/201/120B of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act;
And

In the matter of : **Madhabi Das**

...Petitioners

Ms. Jayant Kumar Singh

...For the Petitioner

Mr. Ujjal Luksom

Ms. Namrata Das

...For the State.

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

Apprehending arrest in connection with Bhaktinagar Police Station Case No. 147 of 2021 under Sections 498A/306/304B/201/120B of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

The petitioner has filed the instant application praying for anticipatory bail in connection with the above-mentioned case. The petitioner is the mother-in-law of the deceased who committed suicide on 12th February 2021.

Having heard the learned advocates for the petitioner and the State and on careful perusal of the case diary, we do not find any incriminating material against the petitioner/mother-in-law. On the other hand, it is found from the statement of the mother of the deceased that the petitioner, herself, informed her over phone that her daughter committed suicide and requested her to come to their house immediately.

In view of such circumstances, we find that the petitioner is entitled to the benefit of Section 438 of the Code of Criminal Procedure and the prayer for anticipatory bail of the petitioner is ***allowed***.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of ₹10,000/- (Rupees Ten Thousand

only) 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 714 of 2021 is, thus, ***disposed of***.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)