

**01.02.2022**

Court No.32  
rpan/30

**C.R.M. (A) 115 of 2022**

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

And

In re: **Gobinda Prasad Singh @ Gobinda Sing & Another**  
- Petitioners

Mr. Shahan Shah,  
Mr. Aninda Bhattacharya  
... for the Petitioners.  
Mr. Tanmay Kumar Ghosh,  
Ms. Sonali Bhar  
... for the State.

Apprehending arrest in connection with Kharagpur Local Police Station Case No.721 of 2021 dated 23.09.2021 under Sections 498A/304B/506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, the petitioners have filed the present application.

Mr. Shah, learned advocate appearing for the petitioners submits that the petitioner no.1 is the uncle-in-law and the petitioner no.2 is the sister-in-law of the victim lady. They have been falsely implicated in the alleged incident. They reside separately and they had no involvement in the alleged offence. In the said conspectus, custodial interrogation may not be necessary.

Mr. Ghosh, learned advocate appearing for the State opposes the petitioners' prayer and submits that the incident occurred within two months of the marriage. In support of his contention, Mr. Ghosh has drawn the attention of this Court to the statements of other witnesses and the post-mortem report. Answering our query, he submits that there is no suicidal note and the husband of the victim had already been arrested.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of accusations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that their custodial interrogation is not warranted, more so when, upon completion of investigation, charge sheet has already been submitted. As such, their prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest the petitioners, namely, **Gobinda Prasad Singh @ Gobinda Sing** and **Kalpana Singha** 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioners shall attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 115 of 2022, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Sugato Majumdar, J.)**

**(Tapabrata Chakraborty, J.)**