

30.03.2022
Sl. 10
Court No.29
sourav
(Allowed)

C.R.M. (A) 1441 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **23.03.2022** in connection with **Chanchal** P. S. Case No. **117** of **2022** dated **05.02.2022** under Sections **498A/302/304B** of the Indian Penal Code.

And

In the matter of: **Taslima Bibi & Ors.**

....petitioners.

Ms. Priti Kar,

...for the petitioners.

Mr. Aniket Mitra,

...for the State.

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the husband is still in custody. The petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the Post Mortem Report of the victim. He submits that the victim suffered injuries apart from the non-continuous ligature mark on her neck. He refers to the statement of the neighbours implicating all the petitioners herein.

The petitioner nos. 4 and 5 are not resident of the matrimonial house of the victim.

Consequently, considering the materials in the case diary and considering the gravity of the offence and the involvement of the petitioners therein, we are unable to grant anticipatory bail to the petitioner nos. **1 (Taslima Bibi), 2 (Hakimuddin) and 3 (Kainath Khatun)**, however, we grant anticipatoy bail to the petitioner nos. **4 (Antara Bibi) and 5 (Rajeka Bibi)**.

Accordingly, we direct that in the event of arrest, the petitioner nos. **4 (Antara Bibi) and 5 (Rajeka Bibi)** shall be released

on bail upon furnishing a 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner nos. 4 and 5 will co-operate with the Investigation and on condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner nos. 4 and 5 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 1441 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

