

C.R.M. (A) 1928 of 2022

27.04.2022
Sl. 37
Court No.29
sourav
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Durgachak** Police Station Case No. **166** of **2021** dated **27.11.2021** under Sections **498A/304B/34** of the Indian Penal Code.

And

In the matter of: **Sabari Jana & Anr.**

....petitioners.

Mr. Sourav Chatterjee
Mr. Dipayan Kundu

...for the petitioners.

Mr. S. S. Imam
Mr. Asif Dewan

...for the State.

Petitioners claim parity with that of the other co-accused who were granted anticipatory bail by the order dated April 19, 2022 passed in CRM (A) 1746 of 2022.

Learned advocate appearing for the State submits that the petitioners cannot claim parity since the two other co-accused who were granted anticipatory bail were married sister-in-law of the victim. The petitioners herein are the mother-in-law of the victim and one unmarried sister-in-law of the victim.

The co-accused were enlarged on bail on April 19, 2022 after considering the fact that the police filed charge-sheet and that the husband was granted bail by the jurisdictional court.

The petitioners stand on the same footing as that of the two other co-accused who were granted anticipatory bail on such parameters.

Consequently, considering the fact that the police filed charge-sheet and considering the fact that the husband was granted bail by the jurisdictional court and considering the gravity of the offence and the involvement of the petitioners

therein as transpiring from the materials in the case dairy, we enlarge the petitioners on anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners 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 petitioners 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 petitioners 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) 1928 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

