

29.04.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1969 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Penro** Police Station Case No. **70** of **2021** dated **18.06.2021** under Sections 498A/302/34 of the Indian Penal Code, 1860.

And

In Re : Reshma Begum & Ors.

..... petitioners

Mr. Kallol Mondal

....for the petitioners

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Aniket Mitra

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated. The victim committed suicide at Gujarat. The police complaint was lodged pursuant to an order passed by the learned Magistrate under Section 156(3) of the Code of Criminal Procedure (Cr.P.C.). None of the petitioners are in-laws of the victim. The first petitioner is the wife of the person, who employed the husband of the victim.

Learned advocate appearing for the State draws the attention of the Court to the post mortem report of the victim and the materials in the case diary.

The death occurred at Gujarat. The post mortem report suggests, at the prima facie level, that the death was by suicide. None of the petitioners before us are the in-laws of the victim.

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner nos. 2 and 3 i.e. Nizam Layek and Imran Layek respectively shall meet the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 1 Reshma Begum shall cooperate with the Investigating Officer till the conclusion of the investigation 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)