

06.06.2022
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Partly allowed

C.R.M.(A) 2327 of 2022

In Re.: An application under Section 438 of the Code of Criminal Procedure in connection with Mongalkote Police Station Case No. 164 of 2021 dated 02.08.2021 under Sections 498A/304B/393 of the Indian Penal Code.

And

In Re : Annapurna Meba @ Kana Meba @ Purnima Meba & Anr. petitioners

Mr. Soumik Ganguli
Mr. Diptendu Banerjee

... for the petitioners

Mr. Tanmoy Kumar Ghosh
Ms. Sonali Bhar

... for the State

Leave is granted to correct the cause title.

It is submitted by the learned Counsel appearing for the petitioners that they have been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes prayer for anticipatory bail.

Having considered the materials on record including statements of the witnesses prima facie disclosing involvement of petitioner no. 1 in torturing the victim housewife who committed suicide within five months of marriage, we are of the opinion that this is not a fit case in granting anticipatory bail to the petitioner no. 1.

The application for anticipatory bail in so far as petitioner no. 1 concerned is, thus, rejected.

However, keeping in mind the extent of complicity of the petitioner no. 2 in the alleged crime, we are inclined to grant anticipatory bail to her.

Accordingly, we direct that in the event of arrest the petitioner no. 2 shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 petitioner no. 2 shall appear before the court below and pray for regular bail within a period of four weeks from date.

Accordingly application for anticipatory bail is allowed so far as petitioner no. 2 is concerned.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)