

06.06.2022
tkm/ct 28
sl no.91

C.R.M. (A) 2330 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Margram P.S case no. 16 of 2022 dated 14.1.2022 under sections 498A/302/34 of the Indian Penal Code

And

Allowed

In Re : Saraswati Mal & Anr.

..... petitioners

Mr. Bitasok Banerjee

Mr. Abdus Salam

..... for the petitioner

Mr. Debabrata Chatterjee

Mr. Santanu Chatterjee

..... for the State

It is submitted on behalf of the petitioners that they are the parents in law of the victim housewife. She committed suicide nine years after marriage.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials in the case diary. Allegations of torture against the petitioners are general and omnibus in nature. Incident occurred nine years after marriage and statutory presumption under section 113 A of the Evidence Act is not attracted in the facts of the case.

Under such circumstances, we are of the opinion custodial interrogation of the petitioners are not necessary and they may be granted 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/- 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.

Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 2330 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)