

41 25.07.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A) 3515 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Suti** Police Station Case No. **549 of 2020** dated **13/11/2020** under Sections **498A/307/34** of the Indian Penal Code and Charge Sheet being No.52 of 2021 dated 04.02.2021 under Sections **498A/306/34** of the Indian Penal Code.

And

In the matter of: Piyara Bibi & Anr.

....petitioners.

Ms. Shabana Hasin

...for the petitioners.

Mr. Saswata Gopal Mukherjee, Ld. PP

Mr. Partha Pratim Das

Ms. Manasi Roy

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the husband is in custody. The police filed charge sheet and, therefore, custodial interrogation of the petitioners are not required.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that there is a dying declaration of the victim.

The dying declaration of the victim implicates her husband. The police filed charge sheet. In such circumstances, 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/- (Rupees Ten Thousand Only) each with two sureties of like amount each to the satisfaction of the Arresting Officer

and also 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 on every date 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 3515 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)