

35 29.07.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A) 3619 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chopra** Police Station Case No. **136 of 2021** dated **19/02/2021** under Sections **498A/304B** of the Indian Penal Code, corresponding to G.R. Case No.409 of 2021.

And

In the matter of: Nur Banu Khatun @ Noor Banu Khatun
....petitioner.

Ms. Rita Patra
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. PP
Ms. Manasi Roy
...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the husband was enlarged on bail by the jurisdictional Court.

Learned Advocate appearing for the State draws the attention of the Court to the dying declaration of the victim.

In her dying declaration, the victim states that she set herself ablaze after a quarrel between her and her husband and the mother-in-law who is the petitioner herein.

Considering the fact that the husband was enlarged on bail by the jurisdictional Court and considering the fact that the police filed charge sheet, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 3619 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)