

04.01.2022

Sl.No. 279

Ct.No. 32

Amalranjan

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

(Via Video Conference)

CRM No. 7855 of 2021

Re: An application for anticipatory bail under Section 438 of
the Code of Criminal Procedure, 1973.

Rejected

In the matter of : Rabia Sultana @ Rajia Sultana

..... Petitioner

Mr. Kallol Kr. Basu
Md. Jannat ul Firdous

...for the Petitioner

Mr. S.S. Imam
Mr. S. Kundu

...for the State

Apprehending arrest in connection with Matia Police
Station Case No. 419 of 2021 dated 12.10.2021 under
Sections 498A/302 and 34 of the Indian Penal Code, the
petitioner has filed the present application.

Mr. Basu, learned advocate appearing for the
petitioner submits that the petitioner has been falsely
implicated. She has no nexus with the alleged offence. The
allegations are absolutely unfounded and no overt act has
been attributed to the petitioner. In the said conspectus,
custodial interrogation is not warranted.

He further submits that the in-laws of the deceased have already been granted anticipatory bail by a co-ordinate Bench of this Court.

The learned advocate appearing for the State vehemently opposes the prayer of the petitioner and draws our attention to the statement of the witnesses as well as the post mortem report and several other documents in the case diary.

Heard the learned advocates appearing for the respective parties and considered the materials on record.

Prima facie, there are strong incriminating materials on record against the petitioner. It further appears from the statements of the witnesses that the petitioner had an extramarital affair with the husband of the deceased. In the face of grave allegations, custodial detention may be necessary. Considering the nature of allegations and since investigation is still in progress we are not inclined to exercise any discretion in favour of the petitioner.

Accordingly, the application for anticipatory bail of the present petitioner is rejected.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this court.

(Sugato Majumdar, J.) (Tapabrata Chakraborty, J.)