

14.01.2022
Item no. 27
Court No.32
Avijit Mitra

C.R.M. 8454 of 2021 (Through Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Reneja Bibi

.... petitioner

Mr. Jisan Iqbal Hossain

....for the petitioner

Mr. N.P. Agarwala,

Ms. Subhasree Patel

..... for the State

Apprehending arrest in connection with Kandi Police Station Case No.408 of 2021 dated 06.08.2021 under Sections 498A/328/34 of the Indian Penal Code, the present application has been preferred.

Mr. Hossain, learned advocate appearing for the petitioner submits that the petitioner is an aged lady and the mother-in-law of the victim. No specific overt act has been attributed to the petitioner. The principal accused is the husband who has been enlarged on bail. Upon completion of investigation chargesheet has also been submitted and as such, custodial interrogation is not necessary.

Mr. Agarwala, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the victim and the injury report.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, particularly, the statement of the victim, the nature of accusations and the extent of complicity of the petitioner in the

alleged offence, we are of the opinion that custodial interrogation is not necessary more so when, upon completion of investigation chargesheet has been submitted. Furthermore, *prima facie*, there is no possibility that the petitioner would flee from justice.

Accordingly, we direct that in the event of arrest, the petitioner namely, **Reneja Bibi** 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The petitioner shall attend the learned Trial Court on all the dates as specified for hearing.

The petitioner shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioner's bail without any further reference to this Court.

The application for anticipatory bail being C.R.M. 8454 of 2021 is disposed of.

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

(Md. Nizamuddin, J.)

(Tapabrata Chakraborty, J.)

