

CRM 9014 of 2021
(via video conference)

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

In the matter of : **China @ Chaina Pramanik**

..... petitioner

Mr. Mazhar Hossain Chowdhury

.....For the petitioner

Ms. Faria Hossain

Ms. Sonali Das

.....For the State

Apprehending arrest in connection with Kushmandi Police Station Case No. 63 of 2021 dated 02.06.2021 under Sections 498A/304B/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, the present application has been preferred.

Mr. Chowdhury, learned advocate appearing for the petitioner submits that the petitioner is the mother-in-law of the victim. No specific overt act has been attributed to her and there is also no possibility that she would flee from justice. Upon completion of investigation, charge sheet has been submitted and as such, custodial interrogation is not necessary.

Ms. Hossain, learned advocate appearing for the State opposes the petitioner's prayer and submits that there are five accused and only the husband could be arrested. Others are absconding. She further submits that it would be explicit from the statements of the witnesses and the post mortem report that the victim was assaulted by the accused persons.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, we find strong incriminating materials in the case diary against the petitioner. It further appears that the petitioner had been absconding during investigation. In view thereof, we are not inclined to exercise any discretion in her favour. As such, her prayer for anticipatory bail is refused.

The application being CRM 9014 of 2021 is, accordingly, dismissed.

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.)