

CRM 9035 of 2021
(via video conference)

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

In the matter of : **Ahina Begum @ ohida Begum & Ors.**
..... petitioners

Md. Sarwar Jahan

.....For the petitioners

Mr. P. K. Datta, Ld. PP
Mr. Nirupam Dhali

.....For the State

Apprehending arrest in connection with Uluberia Police Station Case No. 317/2021 dated 22.09.2021 under Sections 304B/302/34 of the Indian Penal Code, the present application has been preferred.

Mr. Jahan, learned advocate appearing for the petitioners submits that the petitioner no. 1 is the mother-in-law and the petitioner no. 2 is the father-in-law of the victim. The petitioner no. 3 is the sister-in-law of the victim and they have been falsely implicated. No specific overt act has been attributed to the petitioners and there is also no possibility that they would flee from justice. In the said conspectus, the petitioners may be granted anticipatory bail on any stringent condition.

Mr. Datta, learned Additional Public Prosecutor appearing for the State opposes the petitioners' prayer and draws our attention to the statements of the witnesses, the inquest report and the post mortem report.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of accusations and the possible extent of complicity of the petitioners in the alleged offence, which occurred only 1½ years after the marriage of the victim lady and since investigation is still continuing, we are not inclined to exercise any discretion in favour of the petitioners. As such, the prayer of the petitioners is refused.

The application being CRM 9035 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.)