

12 13.09.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 4379 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kalyani** P.S. Case No.**448 of 2022** dated **07/08/2022** under Sections **498A/306/34** of the Indian Penal Code, 1860.

And

In the matter of: **Sima Barai @ Sima Shil & Ors.**

....petitioners.

Ms. Sananda Bhattacharyya

...for the petitioners.

Mr. Saswata Gopal Mukherjee, Ld. PP
Mr. Aniket Mitra

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the deceased committed suicide four days after the death of her husband.

Learned Advocate appearing for the State draws the attention of the Court to the post-mortem report of the victim as also the statements of the neighbours recorded under Section 161 of the Code of Criminal Procedure.

The post-mortem report of the victim suggests that the victim committed suicide.

One of the neighbours recording a statement under Section 161 of the Code of Criminal Procedure suggests that the victim was mentally depressed due to the death of her husband and due to the loan that was taken during the lifetime of the husband.

Considering the materials in the case diary, the gravity of the offence and the involvement of the petitioners therein, we

grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 further condition that the petitioner nos.1 and 2 will cooperate with the investigation till the conclusion of the investigation and petitioner no.3 will report before the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 4379 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)