

30.09.2022

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Ct. No. 29

AD/KC
allowed

C.R.M.(A) 4825 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Belda** Police Station Case No. **104** of **2022** dated **19.08.2022** under Sections 302/34 of the Indian Penal Code, 1860.

And

In Re : Mitali Giri

..... petitioner

Mr. Pravas Bhattacharya

....for the petitioner

Ms. Zareen N Khan

Md. Kutubuddin

....for the State

It is contended on behalf of the petitioner that her husband committed suicide out of depression. She prays for anticipatory bail.

Learned advocate for State submits petitioner had an illicit relation with another person. Investigation is in progress.

We have considered the materials on record. Victim did not leave behind any suicide note implicating the petitioner. Keeping in mind the aforesaid facts, we are of the opinion though the custodial interrogation of the petitioner may not be necessary, petitioner requires to cooperate with the investigation in accordance with law. Hence, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 and on condition that the petitioner shall available herself as and when called for and on further condition that the petitioner shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)