

04.11.2022
Serial no. 05
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 4851 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Sabang** Police Station Case No. **61** of **2022** dated **13.03.2022** under Sections **498A/306/34** of the Indian Penal Code (corresponding to G.R. Case No. **764/2022**)

-And-

In the matter of : **Alpana Mahapatra & Anr.**
... .. **Petitioners**

Mr. Mazhar Hossain Chowdhury,
Ms. Mobashshara Alam, Advocates
... .. *For the Petitioners*

Mr. Saswata Gopal Mukherjee, Id. PP
Mr. Partha Pratim Das,
Ms. Manasi Roy, Advocates
... .. *For the State*

The victim died out of burn injuries.

One of the Doctors treating the victim while she was alive recorded a statement under Section 161 of the Criminal Procedure Code where he claimed that the victim confided in him that she committed suicide by setting her on fire after a dispute between her and her sister-in-law and the mother-in-law.

There are three statements recorded under Section 164 of the Criminal Procedure Code, two of which are by neighbours.

The statements of the neighbours do not suggest that there was any demand for dowry.

In such circumstances, we are inclined to 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall cooperate with the investigation till its completion and on further 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 4851 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)