

12.12.2022

Sl.44

Court No.29

(AD)

(Rejected)

C.R.M. (A) 5763 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nanoor** Police Station Case No.**109 of 2022** dated **16/09/2022** under Sections **498A/328/304B/302/34** of the Indian Penal Code, 1860, corresponding to G.R. Case No.960 of 2022.

And

In the matter of: **Sheuli Bibi & Anr.**

....petitioners.

Mr. Malay Bhattacharyya
Ms. Shefa Mondal

... for the petitioners.

Mr. Saswata Gopal Mukherji, Ld. PP
Mr. Partha Pratim Das
Ms. Manasi Roy

... for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the first petitioner is the married sister-in-law of the victim. She lives separately for the last eight years. The second petitioner is the unmarried sister-in-law of the victim.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the post-mortem report of the victim and the statements of the neighbours recorded under Section 161 of the Code of Criminal Procedure. He submits that there are several statements of the neighbours who claimed that the victim prior to her death made dying declarations before them.

There are materials in the case diary implicating both the petitioners.

Apparently, the claim is that the petitioners were involved in forcing the victim to consume poison. There are statements recorded under Section 161 of the Code of Criminal Procedure of persons claiming that the victim made the oral dying declarations before them implicating the petitioners.

The post-mortem report of the victim suggests that the victim died by poisoning.

In such circumstances, considering the gravity of the offence and the involvement of the petitioners therein, we are unable to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

C.R.M. (A) 5763 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)