

17.
10-01-2022
(ct. no.01)
debajyoti

CIRCUIT BENCH OF CALCUTTA HIGH COURT AT JALPAIGURI

(Via Video Conference)

CRM(A) 22 of 2022

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Pundibari Police Station Case No.181 of 2021 dated 19-04-2021 under Sections 498(A)/304B of the Indian Penal Code.

- A n d -

In the matter of : Arati Barman

.... Petitioner.

Mr. Sudip Guha,
Mr. Anindya Ghosh

... For the Petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das

... For the State.

The petitioner is the mother-in-law of the victim lady, who is stated to have committed suicide by hanging herself.

The petitioner says that she is in no manner involved with the alleged incident. The husband of the victim was arrested and has been granted bail by this Court by order dated December 02, 2021 passed in CRM 1053 of 2021. Charge Sheet has already been submitted upon completion of investigation.

The State vehemently opposes the prayer for anticipatory bail and says that the victim killed herself within six months of marriage. Our attention is drawn to the Post Mortem report.

Upon consideration of the facts and circumstances of the case and the possible extent of complicity of the petitioner in the alleged offence and also keeping in view that the victim's husband has been enlarged on bail and Charge Sheet

has already been submitted, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as she cooperates with further investigation, if any.

Accordingly, in the event of arrest, the petitioner, namely, **Arati Barman**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The petitioner shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In the event the petitioner fails to adhere to any of the conditions stipulated in Section 438(2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference of this Court.

The application for anticipatory bail being CRM(A) 22 of 2022 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Aniruddha Roy, J.)

(Arijit Banerjee, J.)