

07.02.2023

Sl.24

Court No.29

(AD)

(Allowed)

C.R.M. (A) 528 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Penro** Police Station Vide First Information Report Case No.**120 of 2022** dated **06.11.2022** under Sections **498A/326/34** of the Indian Penal Code adding Section **306** of Indian Penal Code, Corresponding to G.R. Case No.2648 of 2022.

And

In the matter of: **Khushi Mondal @ Khushi Mandal**

....petitioner.

Ms. Devi Priya Mitra

... for the petitioner.

Md. Anwar Hossain

Mr. A.E. Molla

...for the State.

Petitioner prays for anticipatory bail.

Petitioner is the sister-in-law.

Petitioner claims to be living in a separate mess.

The police filed charge sheet.

The husband was not named in the First Information Report.

The victim recorded her statement before the doctor.

In such statement, apparently the victim claimed that she could not tolerate the insults levelled as against her. She, therefore, poured kerosene oil on herself and set her ablaze.

As to whether or not the petitioner is guilty of an abetment in the suicide is an issue which is required to be tried.

At the present moment, we do not find any need of custodial interrogation of the petitioner particularly considering her gender.

In such circumstances, we 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/- (Rupees Ten Thousand Only), 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 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 528 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)