

19.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2097 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Daspur** Police Station Case No. **457** of **2022** dated **10.10.2022** under Sections 498A/328/302/34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

And

In Re : Shankari Chanak

..... petitioner

Mr. Amitava Karmakar

Mr. Arup Kumar Bhowmik

....for the petitioner

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Partha Pratim Das

Ms. Eshita Dutta

....for the State

Husband was arrested and enlarged on bail by the Jurisdictional Court.

Petitioner before us is the mother-in-law.

Statements of neighbours as against the petitioner is omnibus and general in nature.

The death occurred after ten years of marriage. There are two children born out of the wedlock.

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/-, 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 petitioner shall cooperate with the Investigating Officer 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)