

06.06.2023

Sl. 10

Court No. 12

Sourav/

Suvayan

(Allowed)

C.R.M. (A) 2125 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Chopra** Police Station Case No. **786** of **2022** dated **31.12.2022** under Sections **498A/302/34** of the Indian Penal Code, 1860.

And

In the matter of: **Buli Malakar**

....petitioner.

Mr. M. Nazar Chowdhury

Ms. Priyanka Saha

...for the petitioner.

Mr. S. G. Mukherji, PP

Mr. Aniket Mitra

Mr. D. Sahu

...for the State.

1. Heard learned Counsel for both the parties.
2. This petition for anticipatory bail being CRM (A) 2125 of 2023 arises out of Chopra Police Station Case No. 786 of 2022 dated 31.12.2022 under Sections 498A/302/34 IPC.
3. The petitioner is the wife of the elder brother of the husband of the deceased.
4. It is fairly submitted at Bar that the principal accused in this case is the husband of the deceased and he has already been released on regular bail.
5. Considered the materials placed by learned Counsel for the parties including the statement of the witnesses.
6. From the statement of the witnesses, it is found that there is only omnibus allegation against the present petitioner to the effect that she was also torturing the deceased for fulfillment of demand of dowry. Charge-sheet is stated to have been filed in the meantime.
7. Regard being had to such facts and submissions, factum of

permanent residence of the petitioner, nature of allegation, submission of charge-sheet and completion of investigation, the petitioner is directed to surrender before the Additional Chief Judicial Magistrate, Islampur, Uttar Dinajpur in G.R. case corresponding to Chopra P.S. case No. 786 of 2022 dated 31.12.2022 within three weeks from today and in the event of filing an application for bail, the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 2125 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

