

13.07.2023

Sl. 19

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 2410 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Amta** Police Station Case No. **388** of **2022** dated **16.12.2022** under Sections **498A/304B/302/34** IPC, corresponding to G.R. Case No. **2959** of **2022** pending before the learned ACJM, Uluberia, Howrah.

And

In the matter of: **Mamtaz Begum & Ors.**

....petitioners.

Mr. Kunal Ganguly
Mr. Tirupati Mukherjee
Ms. Jenifar Alam Megha

...for the petitioners.

Mr. Masum Ali Sardar

... for the defacto complainant.

Mr. Rudradipta Nandi, Ld. APP
Mr. A. Basu

...for the State.

1. Heard learned Counsel for the parties.
2. All these petitioners are the married sisters-in-law of the deceased. The Statement of the neighbours of the husband of the deceased show that the sisters-in-law were also torturing the deceased when they were coming to their parent's house. The allegation against the present petitioners is quite omnibus.
3. Earlier prayer for anticipatory bail was rejected vide order dated 20.01.2023 in CRM (A) 253 of 2023 on the ground that the investigation was taken up for the offence under Sections 498A/304B/302/34 IPC and Sections 3/4 of Dowry Prohibition Act. Now the charge-sheet having been filed under Section 306 IPC instead of 302 IPC, other offences remaining

the same, there arise a supervening circumstance warranting reconsideration of the prayer for anticipatory bail.

4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, their marital status, nature of allegation against them and filing of charge-sheet, it is directed that each of the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Uluberia, Howrah in G.R. Case No. 2959 of 2022 arising out of the aforesaid P.S. case within 15 days from today. On their appearance and application for bail they shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2410 of 2023** is disposed of.
7. Learned Additional Chief Judicial Magistrate, Uluberia, Howrah is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)

