

06.07.2022
tkm/ct 28
sl no. 18

C.R.M. (A) 2634 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Bagnan P.S case no. 635 of 2022 dated 2.12.2022 under sections 306/34 IPC
And

Allowed

In Re : Jhuma Mitra petitioner

Mr. Kunal Ganguly

..... for the petitioner

Md. Anwar Hossain

Mr. Ratna Ghosh

..... for the State

Petitioner submits that the incident occurred in 2020. FIR has been lodged after two years. Allegations are out and out false. She prays for anticipatory bail.

Learned lawyer for the State opposes the prayer for anticipatory bail. He submits that the petitioner had an extra marital affair. As a result, her husband committed suicide.

We have considered materials on record. Incident occurred two years prior to registration of FIR. Victim-husband did not leave behind any suicide note accusing the petitioner. Commission of suicide owing to extra marital affair of the petitioner appears to be inferential.

Under such circumstances we are inclined to grant 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/- each 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.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 2634 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)