

08.08.2023
(D/L 25)
Ct. No.29
Allowed
(SKB)

CRM (A) 2863 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mahishadal P.S. Case No.265 of 2023 dated 06.05.2023 under Sections 498A/304B/302/34 of the Indian Penal Code (G.R. Case No.1261 of 2023).

In the matter of : Khuku Bibi @ Khukumoni Bibi
@ Nurnahar Bibi and another
... petitioners

Mr. Amal Krishna Samanta
... for the petitioners

Mr. Saswata Gopal Mukerji, Id. PP
Mr. Aniket Mitra,
Ms. Jonaki Saha
... for the State

Mr. Surajit Basu
... for the defacto complainant

1. Heard the learned Counsel for the parties.
2. Both the petitioners are married sisters-in-law of the deceased. The case is one of murder on two counts i.e. murder of the wife of the brother of the petitioners and daughter of the deceased who was barely aged about seven months. Though there is omnibus allegation of physical and mental torture to the deceased in the hands of the family members but there is nothing on record to show that on the relevant date of the commission of the crime both the petitioners were present at the spot.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of

allegation, nature of evidence and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition:

i) The petitioners being ladies are directed to appear before the IO for the purpose of investigation as and when required from sunrise to sunset till submission of Final Form.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 2863 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)