

05.10.2023
D/L 16
Ct. No.29
(Allowed)
(SKB)

CRM (A) 4062 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kalna P. S. Case No.96 of 2023 dated 28.01.2023 under Sections 498A/304(B)/34/302 of the Indian Penal Code (G.R. Case No.189 of 2023).

In the matter of : Smt. Pratima Saren

... Petitioner

Mr. Soumyajit Das Mahapatra,
Mr. Agniswar Chowdhury,
Ms. Madhurai Sinha

... for the petitioner

Mr. Saswata Gopal Mukherji, ld. PP
Mr. Partha Pratim Das,
Ms. Eshita Dutta

... for the State

1. Liberty is given to the learned advocate for the petitioner to correct the cause title in court today.
2. Heard learned advocates for the parties.
3. The present petitioner is the mother-in-law of the victim wife who had admittedly died on account of burn injuries. On perusal of the statements of the witnesses recorded under Section 161 Cr.P.C., we find there are some omnibus allegations against the present petitioner regarding torture on account of additional demand of dowry.
4. Charge-sheet is stated to have been submitted in the meantime and, therefore, custodial interrogation of the petitioner is no more necessary.

5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence and completion of investigation, it is directed that the petitioner shall surrender before the learned ACJM, Kalna, Purba Bardhaman, in the G.R. Case No.189 of 2023 arising out of the aforesaid P.S. case within 15 days from today. On her surrender and application for bail, she shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM(A) 4062 of 2023 is disposed of.
8. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)