

10.10.2023
tkm/ct 28
spl no. 10

C.R.M. (A) 4543 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Garfa P.S case no. 191 of 2022 dated 1.9.2022 under sections 306/34 IPC
And

Allowed

In Re : Sima Halder petitioner

Md. Sabir Ahmed
Mr. T Ahmed
Mr. D Banerjee
Ms. S Biswas

..... for the petitioner

Ms. Faria Hossain
Ms. Baisali Basu
Ms. Mamata Jana

..... for the State

1. Petitioner submits she is the wife of the victim. She was driven out of the matrimonial home. Subsequently, the victim committed suicide. She prays for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record including the suicide note. The note is a cryptic one and must be read in the light of the attending circumstances namely cruelty upon the petitioner which forced her to take refuge at her parental home.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- 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 co-operate with investigation in accordance with law.

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

7. The application being CRM (A) 4543 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)