

02.02.2024

06
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 321 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baguiati** Police Station Case No. **193 of 2023** dated **09.04.2023** under Sections **498/406/306** of the Indian Penal Code.

And

In Re: Mamata Khanna @ Mamta Khanna

..... petitioner

Mr. Kallol Mondal

Mr. Krishan Ray

Mr. Sk. Istiaque

Mr. Souvik Das

Ms. Anamitra Banerjee

....for the petitioner

Ms. Eshita Dutta

...for the State

There is an issue of delay about six months in the lodgment of the FIR.

Apparently, the victim committed suicide at her paternal home.

It is contended on behalf of the petitioner that within three months of the marriage, the victim left the matrimonial home and started living at her paternal home

As to whether there was any abetment to commit suicide at the behest of the petitioner or not may be decided at the trial.

In such circumstances, we grant anticipatory 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/-, 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. The petitioner will cooperate with the investigation till the conclusion of the investigation. The petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)