

10.04.2024

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S.D./A.D.

Allowed

C.R.M. (A) No. 1168 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kharagpur (Town) Police Station Case No. 502 of 2023 dated 06.11.2023 under Sections 498A/302/304B/34 of the Indian Penal Code, 1860 read with Section 3/ 4 of Dowry Prohibition Act, 1961 pending before the Court of learned Additional Chief Judicial Magistrate, Kharagpur, Paschim Medinipur.

And

In Re : D. Filumina @ D. Phyalomina & Ors. petitioners

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury
Md. Jawwad
Mr. Sunayan Ghosh

.....for the petitioners

Mr. Suman De
Mr. M.F.A. Begg

....for the State

1. Petitioner no. 1 is the mother-in-law of the victim lady. Petitioner no. 2 is her father-in-law and petitioner no. 3 is the married sister-in-law of the said lady. It is argued they did not play any role in her matrimonial life. Principal accused, i.e. the husband is in custody. They pray for anticipatory bail.
2. Learned Lawyer for the State submits victim was tortured and had been strangled to death.
3. We have considered the materials on record. Principal accused is the husband. He is in custody. Petitioners are the in-laws of the victim lady. Allegations against them are general and omnibus. Investigation is complete. There is no chance of abscondence.

4. In view of the aforesaid, we are inclined to grant anticipatory bail to the petitioners.
5. Accordingly, we direct that in the event of arrest the petitioners 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 and on condition they shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.
6. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)