

17.05.2024
Court No.08
Item No. 06
Allowed

ar

CRM (A) 1733 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Madhabpur Police Station Case No. 70 of 2024 dated 28.03.2024 under Sections 498A/406/304B/34 of the Indian Penal Code read with Section 3 /4 of the Dowry Prohibition Act.

And

In Re: **Khadija Bibi alias Khadija & Anr.**

Petitioners

Mr. Angshuman Chakraborty
Mr. S. S. Saha

For the Petitioners

Mr. P.K. Dutta
Mr. S.S. Imam

For the State

Mr. Uday Sankar Chattopadhyay
Ms. Rajarshree Tah
Ms. Trisha Rakshit
Ms. Aishwarya Datta

For the De-facto Complainant

1. The petitioner no. 1 is the sister-in-law and the petitioner no. 2 is the mother-in-law of the victim house wife. It is submitted that they have been falsely implicated in the instant case.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has submitted that there are materials finding that the victim was tortured at the matrimonial house by the petitioners along with the husband of the victim for dowry and ultimately she succumbed with and committed suicide.

3. Learned counsel for the de-facto complainant has submitted that within one year two months from marriage she committed suicide being forced by the in-laws and her husband for dowry.
4. Considering the materials available in the case diary and the nature of involvement of the petitioners in the commission of alleged offence and having regard to the fact that the principal accused, the husband of the victim, is in custody, we are of the view that custodial interrogation of the petitioners is not necessary.
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 registered sureties of like amount each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioners shall cooperate with the Investigating Officer till the submission of the final report and they shall not be called to the police station after the sun set.
6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
7. CRM (A) 1733 of 2024 is, thus, disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)

