

03.07.2024
SL No.16
Court No.29
TN
(Allowed)

CRM (A) 2067 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kotwali Police Station Case No.83 of 2024 dated 25.02.2024 under Sections 302/34 IPC.

And

In the matter of : **Nikita Bera.**

- petitioner.

Mr. Soumik Ganguli,
Mr. Amanul Islam,
Mr. Sourav Mukherjee

.... for the petitioner.

Mr. Joydeep Biswas,
Ms. Madhumita Basak

... for the State.

1. The petitioner is the wife of the deceased. The petitioner submits that the brother of the deceased husband lodged a false complaint as she was the nominee in the policy of her husband.
2. The learned Counsel for the State in opposing the prayer has referred to the post mortem report and the suicide note.
3. We have carefully read the suicide note. It does not *prima facie* implicate the petitioner for the commission of the alleged offence.
4. Considering the materials available in the case diary, nature and extent of complicity of the petitioner in the commission of the alleged offence, we are of the view that custodial interrogation of the petitioner is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Nikita Bera** shall be released on bail upon

furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall cooperate with the investigation and shall not leave the jurisdiction of police station Kotwali without the leave of the IO.

6. It is further directed that the present accused petitioner shall appear before the learned Chief Judicial Magistrate, Medinipur at Paschim Medinipur in GR Case No. 504 of 2024 within two weeks from date and pray for regular bail.
7. Accordingly, the application for anticipatory bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)