

04.07.2024

Court No.29

Item No. 32

Allowed

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CRM (A) 2111 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Shyampukur Police Station Case No. 102 of 2023 dated 03.11.2023 corresponding to G.R. Case No. 1166 of 2023 under Sections 306/498A/406/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act, 1961.

And

In Re: **Gita Shaw**

Petitioner

Ms. Devipriya Mitra
Ms. Sangeeta Roy
Mr. Chandra Prakash
Ms. Monalisa Maity

For the Petitioner

Mr. Avishek Sinha
Ms. Debjani Sahu

For the State

1. Claiming parity with the other accused, learned counsel appearing for the petitioner submits that the prayer for anticipatory bail may be allowed.
2. Learned counsel for the State does not deny the fact that the petitioner stands on the same footing as that of Gouri Shankar Shaw, who was enlarged on bail in CRM (A) 1670 of 2024 on 16.05.2024 and Shilpa Shaw, who was enlarged on bail on CRM (A) 1792 of 2024 on 17.05.2024. The petitioner is the mother-in-law of the victim.
3. Considering the materials available in the case diary and the submission of the learned counsel for the State that the petitioner stands on the same footing, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner namely, **Gita Shaw** 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, 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 and on further condition that 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.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
6. 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)