

09.7.2024
SL No.34
Ct No. 29
SB

CRM (A) 2247 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Kandi Police Station Case No. 31 of 2023 dated 24.01.2023 under Sections 498A/325/308/34 of Indian Penal Code and Sections 3 / 4 of Dowry Prohibition Act.

And

Murshida Bibi
Vs.
The State of West Bengal

Mr. Kallol Kumar Basu
Mr. Jannat-ul-Firdous ... for the petitioner.

Mr. Prasun Kr. Dutta
Mr. Arani Bhattacharyya ... for the State

1. The petitioner is the married sister-in-law of the victim. It is submitted that she has been falsely implicated. The false complaint has been made after 13 years of marriage.
2. The learned counsel for the State produces the case diary.
3. It appears that charge sheet has already been filed and other co-accused persons are on bail.
4. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the fact that the other co-accused are on bail and charge sheet has already been filed, we are of the opinion that custodial interrogation of the petitioner is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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.

6. It is further directed that the present petitioner shall appear before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad in connection with G.R. Case No. 108 of 2023 within two weeks from date and pray for regular bail.
7. In default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court
8. Accordingly, the application for anticipatory bail is disposed of.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Uday Kumar, J.)

(Soumen Sen, J.)