

15.07.2024
Court No.29
Item No. 14

Allowed

sg

CRM (A) 2363 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Sankrail Police Station Case No. 358 of 2024 dated 13.05.2024 under Sections 306 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Howrah.

And

In Re: **Trija Pandit.**

Petitioner

Sk. Toslim Ali

For the Petitioner

Ms. Anasuya Sinha, APP
Mr. Kaustav Banerjee

For the State

1. The petitioner is the wife of late Subho Mallick and a complaint has been lodged by the mother-in-law of the petitioner alleging mental and physical torture.
2. The learned Counsel for the petitioner submits that due to matrimonial dispute that had started prior to the death of her husband, a false complaint has been lodged by her mother-in-law.
3. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has produced the case diary.
4. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of alleged offence and in view of the fact that nothing has transpired from the CD implicating the

petitioner, we are of the view that the custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest the petitioner namely, **Trija Pandit**, 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 Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and the petitioner shall cooperate with the investigation. The petitioner shall not leave the jurisdiction of Amta Police Station in the District Howrah without the permission of the I.O. The petitioner shall appear before the learned Chief Judicial Magistrate, within two weeks from date.
6. In the event the petitioner fails to comply with any of the conditions as mentioned hereinabove, the trial court shall be at liberty to cancel her bail in accordance with law without any further reference to this Court.
7. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
8. CRM (A) 2363 of 2024 is, thus, disposed of.
9. 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.)