

15.7.2024
SL No.22
Ct No. 29
SB

CRM (A) 2371 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Murarai Police Station Case No. 10 of 2024 dated 14.01.2024 under Sections 498A/326/307/506 of Indian Penal Code.

And

Marjina Bibi & Ors.
Vs.
The State of West Bengal

Mr. Bitasok Banerjee
Mr. Abdus Salam ... for the petitioners.

Ms. Baisali Basu
Ms. Rita Datta ... for the State

Mr. Prosenjit Mukherjee
Mr. Saptarshi Chakraborty ... for the de facto complainant

1. Learned counsel appearing for the petitioners submits that petitioner no. 1 is the mother-in-law, petitioner no. 2 is the sister-in-law and petitioner no. 3 is the married sister-in-law. It is submitted that due to matrimonial dispute between the husband and the de facto complainant, a false complaint has been lodged. The learned counsel has also referred to the order passed by the learned Additional Sessions Judge in granting bail to the husband of the de facto complainant.
2. Learned counsel appearing for the de facto complainant and the learned counsel appearing for the State oppose the prayer for anticipatory bail.
3. Case diary is produced.

4. It appears that the F.I.R. was lodged on the basis of the alleged incidents have been taken on 29.3.2022. There has been a comprehensive statement by the victim woman with regard to the assault. The burn injuries appear to be accidental as recorded in the injury report.
5. On such consideration, we are of the view that custodial interrogations of the petitioners are not necessary.
6. 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 sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. Petitioners shall co-operate with the investigation and shall make themselves available with the investigation as and when required by the Investigating Officer at a place to be indicated by the petitioners.
7. It is directed that the present petitioners shall appear before the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum within two weeks and pray for regular bail from date.
8. It is further directed that the petitioners 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 presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.
9. Accordingly, the application for anticipatory bail is disposed of.

10. 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.)