

12.08.2024

Court No.29

Item No.17

Allowed

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CRM (A) 2730 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Domjur Police Station Case No. 487 of 2024 dated 25.06.2024 corresponding to G.R Case No. 3148 of 2024 under Sections 498A/302/34 of the Indian Penal Code read with Sections 3/4 of Dowry Prohibition Act.

And

In Re: Nayana Pal @ Nayna Dutta

Petitioner

Ms. Minoti Gomes

Mr. Ashok Das

Mr. Sourav Mukherjee

Ms. Hasi Jana

For the Petitioner

Mr. Anand Kesri

Ms. Suchismita Dutta

For the State

1. Learned counsel for the petitioner submits that the petitioner is the married sister-in-law and she stays at her matrimonial home and she is no way connected in the commission of the alleged offence. The victim died after 8 years of marriage.
2. Learned counsel for the State has produced the case diary and has referred to the seizure list and the statement of the some neighbours recorded under Section 164 Cr.P.C.
3. 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 the document, which claimed to be a suicide note in which the victim has exonerated every one for her death, 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, **Nayana Pal @ Nayna Dutta** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, 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. The petitioner shall cooperate with the investigation till the submission of the final report and on further condition that the petitioner shall appear before the learned Chief Judicial Magistrate, Howrah, within two weeks from date. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any 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)