

16.8.2024
SL Nos. 53
Ct No. 29
SB

CRM (A) 2842 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Kotwali Police Station Case No. 429 of 2024 dated 21.4.2024 under Sections 341/307/328 of Indian Penal Code.

And
Ashalata Biswas
Vs.

The State of West Bengal

Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Saptarshi Pakrashi ... for the Petitioner

Ms. Amita Gaur
Ms. Suruchi Saha ... for the State

1. Petitioner is the mother in law of the de facto complainant.
2. Petitioner alleged that petitioner offered a glass of milk to her son-in-law of the de facto complainant and thereafter he became unwell.
3. Learned counsel appearing on behalf of the State has produced the case diary and the statement of the daughter of the de facto complainant. Charge Sheet has already been filed.
4. Considering the materials available in the case diary, the nature and extend of complicity of the petitioner in the commission of the alleged offence and the statement of the daughter of the de facto complainant wherefrom it appears that relationship was a cordial, we are of the view that custodial interrogation of the petitioner is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioner namely,.Ashalata Biswas shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioners shall appear before the learned Chief Judicial Magistrate, Nadia, Krishnanagar in connection with G.R. Case No. 2256 of 2024 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.

(Soumen Sen, J.)

(Uday Kumar, J.)