

19.8.2024
SL Nos. 44
Ct No. 29
SB

CRM (A) 2855 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure / Section 482 of B.N.S.S. Act, 2023 filed in connection with Berhampore Police Station Case No. 801 of 2024 dated 01.6.2024 under Sections 498A/306/34 of Indian Penal Code.

And

Smt. Anutama Gope

Vs.

The State of West Bengal

Mr. Arijit Chatterjee

Ms. Susmita Mukherjee

... for the Petitioner

Mr. Rana Mukherjee

Md. Kutubuddin

... for the State

1. Heard the learned advocates for the parties.
2. Learned counsel appearing for the petitioner submits that petitioner is the mother in law of the victim. It is submitted that she has been falsely implicated. He further submitted that the husband of the victim has recently enlarged on bail by the Sessions Judge, Murshidabad.
3. Learned counsel appearing for the State in opposing the prayer and has referred to the statement of the neighbours in-law's family and submits that there are incriminating materials suggest physical and mental torture by the petitioner as well.
4. Considering the materials available in the case diary and the nature and extend of complicity of the petitioner in the commission of the alleged offence and having regard to the fact that the husband of the petitioner has been enlarged on bail and there has been substantial progress in investigation, 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, Smt. Anutama Gope shall be released on bail upon furnishing a bond of Rs.10,000/- 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 Chief Judicial Magistrate, Berhampore, Murshidabad in connection with G.R. Case No. 39 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 petitioner 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.)