

29.08.2024

Court No.29

Item No. 08

Allowed

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CRM (A) 2995 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Amta Police Station Case No. 57 of 2024 dated 02.04.2024 corresponding to G.R Case No. 769 of 2024 under Sections 498A/406/304B/302/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act, 1961.

And

In Re: Manju Doyari @ Manju Doari

Petitioner

Mr. Shraman Sarkar

For the Petitioner

Mr. Ranabir Roy Chowdhury

Mr. Rahul Ganguly

For the State

1. The petitioner is the mother-in-law of the victim. It is submitted that due to matrimonial dispute the daughter-in-law has committed suicide and the petitioner is no way connected in the commission of the alleged offence.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the independent witnesses and the statement of the brother and mother of the deceased recorded under Section 164 Cr.P.C. However, it is submitted that charge-sheet has already been filed.
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 having regard to the statement of the witnesses it appears that specific allegation has been made against the husband of the deceased and the fact that the charge-sheet has already been filed, 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, **Manju Doyari @ Manju Doari** 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, 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 and on further condition that the petitioner shall appear before the learned **Additional Chief Judicial Magistrate, Uluberia**, corresponding to G.R. Case No. **769 of 2024** within two weeks from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. 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)

