

26.11.2024
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as
[ALLOWED]

C. R. M. (A) 3962 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Santipur Police Station Case No. 1391 of 2024 dated 26.10.2024 under Sections 103(1)/61/03(5) of the Bharatiya Nyaya Sanhita, 2023.

In Re: ***Sonali Mallick @ Rakhi & Ors.***

... .. Petitioners

Ms. Minoti Gomes,
Ms. Shanta Sarkar.

... .. for the petitioners

Mr. Subhamoy Bhattacharya,
Ms. Sanjida Sultana.

... .. for the State

1. Petitioners are the sisters of one Gautam Mondal. He developed a romantic relationship with Mili, daughter of the de-facto complainant. Subsequently, they committed suicide. Petitioner No.2 is the mother of Gautam and petitioner Nos.1 and 3 are his elder sister. It is contended they have been falsely implicated in a case of murder. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State produces the Case Diary. He also produces the post mortem report of Gautam Mondal.

3. We have considered the materials on record. In the First Information Report, de-facto complainant alleged that Gautam had purchased a motor cycle using her credentials. Subsequently, he could not pay instalments and the motor cycle had to be returned. He again made demands which could not be met. Thereafter, the dead body of her daughter and Gautam were found hanging from a tree. She suspected the involvement of the petitioners in the crime. Post mortem report of Gautam and Mili

show they died due to hanging which is predominantly suicidal. Defence version that they jointly committed suicide owing to family resistance to their relationship cannot be ruled out.

3. Under such circumstances, we are inclined to grant anticipatory bail to them.

4. Accordingly, we direct that in the event of arrest, the petitioners viz., **1) Sonali Mallick @ Rakhi, 2) Sandha Mondal and 3) Rupali Mallick @ Dipali Mallick** be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the BNSS. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

5. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)