

20.12.2024  
22.  
Ct. No. 28  
SG  
[Partly  
Allowed]

**C. R. M. (A) 4477 of 2024**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Goghat Police Station Case No. 532 of 2024 dated 22.11.2024 under Sections 85/316(2)/75/103/80/61(2) of BNS with 3/4 of DP Act.

And

In Re: **Rekha Nandi @ Nandi Rekha @ Rekha Nandy and Anr.**  
... .. Petitioners

Mr. Kallol Mondal, Sr. Adv.,  
Mr. K. Ray,  
Mr. S. Das,  
Mr. A. Banerjee,  
Mr. A. Laskar

..... for the petitioners

Ms. Sreyashi Biswas,  
Ms. Dattatreya Dutta.

..... for the State

1. Heard learned Advocates for the parties.
2. We have considered the materials on record including the statements of witnesses. In the FIR mother of the deceased alleged victim made an oral dying declaration alleging petitioners poured poison in her mouth. Victim died due to poisoning. Petitioners contended there is delay in lodging FIR and they have been falsely implicated.
3. Petitioner no. 1 is the mother-in-law who ordinarily resided with the victim lady. This corroborates the oral dying declaration against petitioner no. 1. However, petitioner no. 2 is the married sister-in-law and it is contended she resides in Kolkata. Possibility of false implication of petitioner no. 2 cannot be ruled out.

4. Under such circumstances, though we are not willing to grant anticipatory bail to petitioner no. 1, we are inclined to grant anticipatory bail to petitioner no. 2.

5. Accordingly, we direct that in the event of arrest, the petitioner no. 2 viz., **Keya Mondal @ Keya Mandal** be released on bail upon furnishing a bond of Rs.10,000/-, 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 Bharatiya Nagarik Suraksha Sanhita, 2023. She shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**