

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

30.09.2024
26
S.D.
Allowed

C.R.M.(A) 726 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Malbazar** Police Station Case No. **418** of **2024** dated **16.07.2024** under Sections 108(3)/5 of the Bhartiya Nyaay Sanhita, 2023.

And

In Re : Ruma Bhattacharya

..... petitioner

Mr. Hillol Saha Podder

....for the petitioner

Mr. Nilay Chakraborty, Ld. A.P.P.,

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner is the mother-in-law of the victim.

Learned advocate appearing for the State submits that, the husband died at the in-law's house. Parents of the husband were not informed of the death. The death took place within 42 months of the marriage.

He refers to the statements recorded under Section 180 of the B.N.S.S., 2023.

Post mortem report of the victim suggests that the victim committed suicide.

As to whether the petitioner before us was involved in the abetment of the suicide committed by the victim, may be decided at the trial.

Materials in the case diary do not suggest requirement of custodial interrogation of the petitioner. More so, when the petitioner before us is a lady.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall 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 be subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023 and on further condition that the petitioner shall cooperate with the investigation till the conclusion of the investigation. The petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

