

13.11.2024
Item no. 30.
Court No.1.
AB
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri

CRM (A) 821 of 2024

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ghoksadanga Police Station Case No.151 of 2024 Dated 29.03.2024 under Sections 498A/304B of the Indian Penal Code

And

In the matter of : Lalita BarmanPetitioner.

Mr. H. S. Poddar,
Ms. Mousumi Dasfor the Petitioner.

Mr. Biswarup Royfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner is the mother-in-law of the victim lady, who committed suicide by consuming poison. The allegation is that due to the torture meted out by the husband's family, the victim lady killed herself.
2. The petitioner says that all other family members have been granted bail by the learned Trial Court. She is 54 years of age. She is fully prepared to cooperate with the Investigating Officer. She prays for anticipatory bail.
3. Opposing the prayer, learned State Counsel draws our attention to the statement of the victim lady's mother recorded under Section 164 Cr.P.C. The allegations

made by the victim's mother are general and omnibus in nature. The petitioner or any other member of the husband's family has not been specifically implicated.

4. In view of the aforesaid and keeping in mind that charge sheet has already been filed upon completion of investigation, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as she cooperates in further investigation, if any.
5. Accordingly, in the event of arrest, the petitioner, namely **Lalita Barman** 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, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that she shall cooperate with the investigation and shall not leave the jurisdiction of the learned Trial Court until further orders.
6. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
7. The application for anticipatory bail is allowed.

8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)