

17.02.2025

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Allowed

C.R.M. (A) No. 512 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kandi Police Station Case No. 563 of 2024 dated 08.12.2024 under Sections 85/117(2)/109/3(5) of the Bharatiya Nyaya Sanhita and under Section 4 of the Dowry Prohibition Act.

And

In Re : Sahannara Bibi & Ors. petitioners

Mr. Manas Kumar Das

Mr. Aritra Kumar Thokdar

.....for the petitioners

Ms. Minoti Gomes

Ms. Debjani Sahu

....for the State

1. Learned Counsel for the petitioners submits they are in-laws of the victim lady. It is submitted victim had consumed poison and died. They have been falsely implicated. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayers for anticipatory bail and submits victim's husband and in-laws i.e. the petitioners had poured poison into her mouth. As a result victim died.

3. We have considered the materials on record. Petitioners are the in-laws of the victim lady. She was admitted in the hospital and in the medical papers it is recorded she had ingested poison. No allegation of administration of poison appears from the medical documents. In the FIR it was alleged victim's husband had poured poison into her mouth. No

allegation of pouring poison is levelled against the petitioners. Mother of the victim stated in the hospital victim told her the petitioners had poured poison in her mouth. Hospital papers do not corroborate this statement. In light of the aforesaid facts we are of the opinion possibility of belated implication of the in-laws i.e. the petitioners in the offence out of grudge cannot be ruled out. Husband of the victim is in custody. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

4. Accordingly, we direct that in the event of arrest the petitioners shall 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that they shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)