

20.02.2025
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Partly
Allowed

CRM (A) No. 584 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Lalgola Police Station Case No. 581 of 2023 dated 03.12.2023 under Sections 498A/325/306/34 of the Indian Penal Code.

And

In Re : Hawanur Bibi & Ors. petitioners

Mr. Debapriya Samanta
Mr. Suhotro Palit

..... for the petitioners

Mr. S. S. Imam
Mr. T. Dhali

..... for the State

1. Learned Counsel for the petitioners submits petitioner no. 5 is the husband of the victim lady. Petitioners no. 1 to 4 are her in-laws. It is also submitted victim was suffering from heart ailments and committed suicide. Accordingly, they pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioners had handed over poison to the victim who consumed it and committed suicide.

3. We have considered the materials on record. Incident occurred 13 years after marriage. While petitioners contend that the victim suffered from depression due to ill health prosecution relies on statement of a neighbour that she was handed poison by petitioner no. 5/husband and compelled

to drink it. In light of the aforesaid incriminating materials we are not inclined to grant anticipatory bail to the petitioner no. 5.

4. Accordingly, prayer for anticipatory bail in so far as petitioner no. 5 concerned is rejected.

5. However, allegations against the petitioners no. 1 to 4 i.e. in-laws of the victim are general and omnibus. Accordingly, we are inclined to grant anticipatory bail to the petitioners no. 1 to 4.

6. Accordingly, we direct that in the event of arrest, petitioners no. 1) Hawanur Bibi, 2) Ashikul Sk. @ Asekul Sk. 3) Mamuni Bibi @ Tasmira Khatun and 4) Anarul Sk. 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 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.

7. The application for anticipatory bail in so far as petitioners no. 1 to 4 concerned is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)