

04.08.2025

Sl. no. 36

Ct. No. 25

P.M.

C.R.M. (A) 2078 OF 2025

In re : An application for anticipatory bail under Section 482 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with G.R. Case No. 3501 of 2019 arising out from English Bazar Police Station Case No. 776 of 2019 dated 03.08.2019 under section 306 of the Indian Penal Code..

In the matter of : **Kalyani Mandal.**

... petitioner

Mr. Avinaba Patra

.....for the Petitioner.

Mr. Partha Patim Das,
Ms. Debadrita Mondal

.....for the State.

Learned counsel for the petitioner submits that petitioner is mother-in-law of the deceased victim.

Learned counsel submits that the incident is of 27th July, 2019 to 31st July, 2019 for which P.S. Case No. 776 of 2019 were registered on 3rd August, 2019 under section 306 of the Indian Penal Code at P.S. English Bazar, District Malda.

The learned counsel submits that before filing of the charge sheet in 2025 at any point of time the investigating agency asked the petitioner to join the investigation.

Learned counsel submits that in the charge sheet the petitioner were shown absconding and thus warrant of arrest were issued.

Learned counsel submits that their allegations against the petitioner are omnibus in nature.

Learned counsel for the State in the status report submitted that the petitioner was absconding for which the warrant of attachment has been issued.

Learned counsel submits that the victim Jagadish Mandal married with Rinki Mandal around five years ago before the incident. Allegedly the present petitioner who is mother of the wife along with her husband; that is father of the wife and the wife inflicted mental and physical torture upon the deceased on account of which he committed suicide by poisoning. Post Mortem report has also been placed on record. The status report of memo of evidence be taken on record. The court has gone through the statement of witnesses Chittaranjan Das, Gita Das, Anita Das, Nandani Sarkar and Gobinda Sarkar.

Perusal of the record indicates that there are no specific allegations against the petitioner. The court has to take prima facie view at this stage. Any further discussions on the merits of the case may further prejudice either of the parties.

There is no material produced by the State that petitioner was absconding during the course of investigation.

In the facts and circumstances of this case petitioner is directed to join investigation as and when directed by the I.O.

In the event, if Investigating Officer feels necessary of effecting the arrest of the petitioner she be admitted to anticipatory bail by furnishing personal bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of like amount each, one of whom shall be local, to the satisfaction of the Learned CJM Malda, subject to the conditions that she shall join and cooperate in the investigation as and when directed by the Investigating Officer and shall not threaten, tamper or intimidate the complainant or members of the family in any manner.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Dinesh Kumar Sharma, J.)