

04.09.2020
Sl. No.33
akd
[PARTLY
ALLOWED]

C. R. M. 5484 of 2020 [via video conferencing]
CRAN 1 of 2020 [Old No. CRAN 3813/2020]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 30.07.2020 in connection with Raiganj Women Police Station Case No. 43 of 2020 dated 02.03.2020 under Sections 498A/306/304B/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.357 of 2020)

And

In Re: **Satyen Das & Ors.**

... .. Petitioners

Mr. Uday Sankar Chattopadhyay .. Advocate

Mr. Pronay Basak .. Advocate

... .. for the petitioners

Mr. Pradipta Ganguly .. Advocate

... .. for the State

Leave is granted to the learned advocate-on-record for the petitioners to correct the cause title in course of this day.

Petitioners undertake to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

The application being CRAN 1 of 2020 (Old No. CRAN 3813 of 2020) is accordingly, disposed of.

Having considered the materials on record disclosing prima facie involvement of the petitioner nos.1 & 2 i.e. parents-in-law of the victim-housewife in torturing her over demands of dowry, we are of the opinion that this is not a fit case to grant anticipatory bail to them.

Accordingly, the prayer for anticipatory bail of the accused/petitioner nos.1 & 2 namely, **(1) Satyen Das & (2) Sati Das** is rejected.

However, in view of the extent of complicity of the petitioner no.3 i.e. married sister-in-law of the victim-housewife in the alleged crime in the light of the submission that she did not reside ordinarily in the matrimonial home of the couple, we are of the opinion that custodial interrogation of the petitioner no.3 is not necessary in the facts of the present case and she may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner no.3 namely **(3) Anjana Das**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only), 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 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)