

CRM 5926 of 2020
I.A. No. CRAN 1 of 2020
Old No. CRAN 4362 of 2020

(Via Video Conference)

In re : An application under Section 438 of the Code of Criminal Procedure filed on 14.08.2020 in connection with Rampurhat P.S. Case No. 218 of 2020 dated 08.07.2020 under Sections 498A/304B/302/34 of the Indian Penal Code read with sections 3/4 of the Dowry Prohibition Act.

In the matter of : **Girija Bhusan Gupta**

..... petitioner

Mr. Bitasok Banerjee

.....for the petitioner

Mr. Swapan Banerjee
Ms. Purnima Ghosh.

....for the State

The petitioner undertakes to affirm and stamp the petition as per Rules within one week of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner is the father-in-law of the victim who suffered to her burn injuries.

The State says that the husband is in custody and the victim was left in the hospital by the husband and his family, whereupon they returned home, locked the house and absconded. According to the State, the immediate relatives of the husband were involved in the incident.

The petitioner is of advanced stage and his wife is terminally ill. The material produced by the State does not indicate anything specific against this petitioner, though no latitude should be shown to the immediate relatives of the

husband of the victim who is burnt to death, presumably upon the dowry demand not being met.

Considering the precarious health of this petitioner's wife and the lack of specific material against him as of now, the petitioner is excused from being taken into custody at this stage.

In the event of arrest, the petitioner will be enlarged on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand) with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer. The petitioner will also comply with the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 5926 of 2020 and CRAN 4362 of 2020 are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)