

03.09.2020
SL No.86
AP

CRM 6159 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanditala** P.S. Case No.**306 of 2019** dated **12th July, 2019** under Sections **498A/406/376** of the Indian Penal Code.

And

In the matter of: **Sunil Pakira & Anr.**

....Petitioners.

Ms. Alotriya Mukherjee

...for the Petitioners.

Mr. P.K. Datta, Ld. A.P.P.,

Mr. Santanu Deb Roy

...for the State.

It is submitted on behalf of the petitioners that petitioner No.1 is the brother-in-law of the victim wife and petitioner No.2 is his wife. It is further submitted on behalf of the petitioners that they used to stay separately from the couple.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the husband of the victim had an illicit affair with the petitioner No.2.

Although the aforesaid allegation has been made against petitioner No.2, no complaint was promptly lodged. On the other hand the de facto complainant victim returned to her matrimonial home and continued to stay there for about a year.

In view of the aforesaid facts and as there is hardly any allegation against petitioner No.1, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners namely (1) Sunil Pakira and (2) Sanjukta Pakira be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 438(2) of the Code of Criminal Procedure, 1973.

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

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)