

21.09.2020

BP  
Sl.24

CRM 6491 of 2020  
With  
CRAN 1 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Amta Police Station Case No. 184 of 2020 dated 27.06.2020 under Sections 498A/406/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, 1961.

In the matter of : Debasis Mukherjee @ Debasish Mukharjee @ Katu.....petitioner

Mr. Saptarshi Basu

Mr. Sanjib Seth

..for the petitioner.

Mr. Bidyut Kumar Roy

Ms. Rita Datta

..for the State.

Learned advocate for the petitioner submits that the petitioners before this court are the husband and father-in-law of the complainant. The learned advocate for the petitioner also draws the attention of this court to the earlier order passed by a co-ordinate bench on 15<sup>th</sup> September, 2020.

Learned advocate for the State submits a report. Let the same be kept on record.

We find that the Investigating Officer's report reflects that there has been seizure of streedhan articles pursuant to the order dated 15.09.2020

passed by this court and notice under Section 41A of the Criminal Procedure Code has already been served upon the accused persons. On assessment of the report she submitted that there is no apprehension expressed by the Investigating Officer of the case.

Accordingly, we are of the opinion that although a case has been made out but the custodial detention of the petitioner is not necessary for the sake of investigation.

Accordingly, we allow the prayer for anticipatory bail.

In the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of like amount, to the satisfaction of the arresting officer of the case.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being C.R.M. 6491 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

**(Samapti Chatterjee, J. )**

**(Tirthankar Ghosh, J.)**

