

Item No.30
Ct.No.11
dc.

C.R.M. 6832 of 2020
C.R.A.N. 1 of 2020

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Jalpaiguri Women P.S. Case No. 62 of 2020 dated 23.06.2020 under Sections 498(A)/304B/306/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.

And

In the matter of : Sudip Das ... Petitioner.

Mr. Sudip Guha ... For the Petitioner.

Mr. Ujjwal Luksom,
Mr. Biswarup Roy ... For the State.

Petitioner undertakes 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.

Learned advocate for the petitioner submits that the present petitioner happens to be elder brother-in-law of the deceased.

The learned advocate for the State submits that the petitioner has not been implicated as an accused in connection with this case.

Having regard to the submissions made by the learned advocate appearing for the State, we hold that the

anticipatory bail application is not maintainable. However, in case, the investigating agency finds the complicity of the petitioner in connection with this case, in that case the investigating officer of the case will be obliged to serve a notice upon the present petitioner affording him seven days' time so that the petitioner will be at liberty to take appropriate steps, if so advised.

With the aforesaid observation, CRM 6832 of 2020 and CRAN 1 of 2020 are disposed of.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)