

21.09.2020

BP
Sl.48

CRM 6923 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 Matia Police Station Case No. 74 of 2020 dated 28.02.2020 under Sections 498A/406/302/34 of the Indian Penal Code and added Section 4 of the Dowry Prohibition Act.

In the matter of : Ajet Ali Mondal.....petitioner

Mr. Surajit Basu
..for the petitioner.

Mr. Saibal Bapuli
Mr. A. Bhattacharya
..for the State.

Learned advocate for the petitioner submits that the petitioner is the father-in-law of the deceased and the incident occurred almost eight years after marriage. Learned advocate for the petitioner further submits that going by the nature of allegations against the present petitioner the custodial detention may not be required.

Learned advocate for the State opposes the prayer for bail and submits that the husband has already been taken into custody. He draws the attention of this court to the statement of the neighbours and other witnesses.

We have taken into account the materials appearing in the case diary which includes the injury report, the statement of the witnesses and on assessing the statement, we are of the opinion that the custodial detention of the petitioner may not be necessary in the facts and circumstances of the case.

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. 6923 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)