

CRM 7506 of 2020

**Nurjamal Miah & Anr.
Vs.
State of West Bengal**

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IA No. CRAN 1 of 2020

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1908 in connection with Dinhata Women Police Station Case No.59 of 2020 dated 03.08.2020 under Section 498A/304B/34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act.

Mr. Sudip Guha, Adv.
.... For the Petitioners

Mr. Aditi Sankar Chakraborty, Adv.
Mr. Tapan Bhattacharya, Adv.
.... For State

The petitioners undertake to affirm and stamp the petition as per the rules within 48 hours of resumption of normal functioning of the Court. The petition is taken up through video conferencing on the basis of such undertaking.

The petitioners are the parents-in-law of the victim who apparently committed suicide within six years of marriage.

The State says that the victim was unable to bear the constant torture inflicted on her for not getting more dowry. The petitioners claim that the husband has been arrested.

The petitioners claim that they had nothing to do with the matter and it is the husband of the victim who can be blamed. However, it should not go unnoticed that the husband is tutored by the parents to misbehave with his wife or to torture her for not getting more dowry.

In the instant case, however, there is no material linking these petitioners to the unnatural death of the victim, though these petitioners may have been responsible for the indignity suffered by the victim.

Considering the advanced age of the petitioners, they are entitled to anticipatory bail.

Accordingly, in the event of arrest, the petitioners will be enlarged on bail upon furnishing security of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. The petitioners will abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7506 of 2020 together with CRAN No.1 of 2020 are disposed of.

Authenticated website copies of this order be immediately made available to the parties, subject to compliance with all requisite formalities.

(Aniruddha Roy, J.)

(Sanjib Banerjee, J.)

