

19.10.2020
Item No.25
Ct.No.11
dc.
Allowed

C.R.M. 7714 of 2020
CRAN 1 of 2020
(Through Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Taltola Women P.S. Case No. 06 dated 17.03.2020 under Sections 506/498A/406/34 of the Indian Penal Code and 3/ 4 of Dowry Prohibition Act.

And

In the matter of : Sk. Nurulla @ Sk. Nurullaha & Ors.
... Petitioners.

Mr. M. A. Naskar,
Mr. Apan Saha,
Mr. S. Sarkar ... For the Petitioners.

Mr. Imran Ali,
Mr. M. F. A. Begg ... For the State.

Petitioners undertake 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.

It is submitted by the learned advocate appearing for the petitioners that the petitioners have been served with the notice under Section 41A of the Code of Criminal Procedure and that has been complied by the petitioners. Therefore, custodial detention of the petitioners is not required.

Learned advocate appearing for the State produces the case diary and also admits that the petitioners have been

served with the notice under Section 41A of the Code of Criminal Procedure and they have complied the same.

Considering the submissions advanced on behalf of the learned advocate for the parties and after perusing the case diary, we are of the opinion that custodial interrogation of the petitioners is not necessary. Hence, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioner no.1 (Sk. Nurulla @ Sk. Nurullaha), petitioner no.2 (Sk. Jakir @ Sk. Jakir Hossain) and petitioner no.3 (Hamida Bibi @ Hameda Bibi) shall be released on bail upon furnishing 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 on condition that they shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7714 of 2020 and CRAN 1 of 2020 are disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Aniruddha Roy, J.)

(Samapti Chatterjee, J.)