

13.10.2020

CRM 7812 of 2020

Court No. 12
Item No. 16
snandy

(anti-bail allowed)

In Re: An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 25.09.2020 in connection with Mohanpur Police Station Case No. 34 of 2020 dated 28.02.2020 under Sections 498/302/34 of the Indian Penal Code and Sections 3/ 4 of the Dowry Prohibition Act.

And

In the matter of: **Rajendra Singha & Anr.**

..... Petitioners

Mr. Rituparna Ghosh, Advocate

.....for the Petitioners

Mr. Saswata Gopal Mukherjee, Learned Public Prosecutor

Mr. Aniket Mitra, Advocate

..... for the State

Petitioners undertake to affirm and stamp the petition/ application as per Rules within one month of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing.

The learned Advocate of the petitioners submits that the petitioners are the parents-in-law of the victim who had committed suicide by hanging. It is submitted that the husband was initially arrested but thereafter granted bail. It is also submitted that the alleged incident took place almost after ten years of marriage.

The learned Advocate for the State opposes the prayer for bail.

Upon considering the materials-on-record available in the case diary and the extent of complicity of the petitioners in the commission of the alleged offence, we allow the prayer for anticipatory bail.

Therefore, we are inclined to extend the privilege of the anticipatory bail under Section 438 of the Code of Criminal Procedure to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners, be released on bail upon furnishing a bond of Rs.5,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the

satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 on further condition that they will cooperate with the investigation and the petitioner no. 1 shall meet the Investigating Officer once in a week.

In the event, the petitioners fail to comply with the conditions as envisaged in this order, it is open to the trial Court to cancel the anticipatory bail without making any reference to this Court.

The application being **CRM 7812 of 2020** accordingly **disposed of**.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)