

21.10.2020
Item No. 158
Court No. 03
Krishnendu
(Allowed).

C.R.M. 8428 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Egra P.S. Case No. 393 dated 27.07.2020 under Sections 498A/304B/34 of the Indian Penal Code read with Sections 3 /4 of the Dowry Prohibition Act .

And

In re : Prabodh Sau & Anr.

... Petitioners.

Mr. Navanil De
Mr. R. Chakraborty

...for the Petitioners.

Mr. Aniket Mitra

...for the State.

It is submitted on behalf of the petitioners that the petitioner no. 1 is the brother-in-law of the victim housewife. Petitioner no. 2 is his wife. They used to reside separately and did not play any role in the matrimonial life of the victim housewife.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the victim housewife committed suicide within seven years of marriage.

We have considered the materials on record. Allegations against the petitioners are general and omnibus in nature and are to be assessed in the light of the submission that they did not ordinarily reside in the matrimonial house of the victim housewife.

Under such circumstances, we allow this application and direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

This application for anticipatory bail is, thus, disposed of.

(Abhijit Gangopadhyay, J.)

(Joymalya Bagchi, J.)