

19.11.2020.

52.

as

(Allowed).

C.R.M. 8542 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Dinhata P.S. Case No.97 of 2019 dated 13.12.2019 under Sections 498(A)/306/34 of the Indian Penal Code read with Section 3 / 4 of the Dowry Prohibition Act.

In the matter of : Anarul Haque @ Sial Miah & Ors.
... Petitioners.

Mr. Anindya Ghosh,
Mr. Sudip Guha.

...for the Petitioners.

Mr. Arun Sarkar,
Mr. Ujjal Luksom,
Ms. Namrata Das.

.....for the State.

Heard the learned Advocates appearing for the parties.

Having considered the materials on record and bearing in mind the general and omnibus nature of allegations and as the incident occurred 9 years after marriage and statutory presumption under Section 113A of the Evidence Act is not attracted, we are inclined in granting anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners, viz., Anarul Haque @ Sial Miahm, Ahila Bibi and Saina @ Sahina Bibi @ Sahanaj Parvin Bibi 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.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)