

05.11.2020

Item No. 37

k.b./b.r.

allowed

Crt.08

VB

C.R.M. 8795 of 2020
(via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kandi P.S. Case No. 440 of 2020 dated 07.10.2020 under Sections 498A of the Indian Penal Code and 3/4 D.P. Act.

And

In Re : Saidul Mia @ Dablu Mia petitioner.

Mr. Kaushik Chowdhury
Mr. Busra Khatoon

.....for the petitioner.

Mr. S.S. Imam
Mr. Subrato Roy

....for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Learned advocate for the petitioner submits that the marriage was solemnized five years prior to registration of the present FIR. Learned advocate for the petitioner further submits that there were only allegation of torture and demand for dowry.

Learned advocate for the State acknowledges such submission so advanced by the learned advocate for the petitioner.

We have considered the materials in the Case Dairy and we are of the opinion that the custodial detention of the present

petitioner may not be warranted in the facts and circumstance of this case and as such the prayer for anticipatory is allowed.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond 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 and on condition that they shall not tamper with the evidence and/or intimidate the witnesses. The petitioner shall appear before the learned trial court on the date fixed. He is also directed to meet with the Investigating Officer of this case once in a fortnight on and from 18th November, 2020.

The aforesaid order would be subject to the provisions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail stands thus allowed.

The application CRM 8795 of 2020, stands disposed of.

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

(Tirthankar Ghosh, J.)

(Ashis Kumar Chakraborty, J.)