

17.12.2020.
118.
as
(Allowed).

C.R.M. 9150 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Purulia Sadar (Women) P. S. Case No.09 of 2020 dated 24.09.2020 under Sections 498A/306 of the Indian Penal Code and Sections 3 / 4 of Dowry Prohibition Act.

In the matter of : Sri Karan Mohta & Anr.

... Petitioners.

Mr. Pawan Kr. Gupta,
Mr. Sougata Mitra,
Ms. Sofia Nesar,
Mr. Santanu Sett.

...for the Petitioners.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Arani bhattacharyya.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that the victim lady committed suicide after 15 years of marriage.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

Allegation of torture over dowry may be assessed in the light of the submission made on behalf of the petitioners. Statutory presumption under Section 113A of the Evidence Act is also not attracted in the instant case.

Under such circumstances, we are inclined in granting anticipatory bail to the petitioners.

Accordingly, we 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.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)