

17.12.2020.

120.

as

(Allowed).

C.R.M. 9156 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Durgapur Women P. S. Case No.34 of 2020 dated 24.07.2020 under Sections 498A/323/406/506/354A/34 of the Indian Penal Code and Sections 3 / 4 of Dowry Prohibition Act.

In the matter of : Biswajit Roy & Ors.

... Petitioners.

Mr. Debasis Kar,
Mr. Husen Mustafi.

...for the Petitioners.

Mr. Narayan Prasad Agarwala,
Ms. Subhasree Patel.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that they are being harassed by institution of a series of criminal proceedings.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail and submits that the matrimonial dispute was resolved and the victim returned to the matrimonial home. Thereafter, she was again driven out from the matrimonial home.

Allegation of subsequent torture may be assessed in the light of the attending facts and circumstances of the case. However, petitioners require to co-operate with investigation in respect of recovery of stridhan articles.

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 and on further condition that the petitioner shall meet the Investigating Officer once in a week until further orders.

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

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)