

C.R.M. 9842 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Banarhat P.S. Case No. 170 of 2020 dated 28.08.2020 under sections 498A/302/120B/201/34 of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

And

In the matter of: Dipa Roy & Ors.

Mr. Ranadeb Sengupta
Mr. Raya Rudra

... .. for the petitioners

Mr. Nilay Chakraborty
Mr. Tapan Bhattacharjee

... .. for the State

It is submitted on behalf of the petitioners that there are not the principal accuseds. They are the distant relations of the husband of the victim. They did not ordinarily reside in the matrimonial home of the victim.

Learned lawyer for the State submits that the victim housewife was subjected to torture and died due to burn injuries.

We have considered the materials on record. There is no direct evidence that the petitioners had set the victim housewife on fire. It is alleged that the petitioners had disposed of the deadbody of the deceased – a bailable offence.

In view of the extent of complicity of the petitioners in the alleged crime, we are inclined to grant 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also 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, allowed.

The 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.)