

10.12.2020
Court No.28
SL No.85
AP

CRM 10185 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bagdah** P.S. Case No.**696 of 2020** dated **25th October, 2020** under Sections **498A/304B** of the Indian Penal Code and Sections **3/4** of the D.P. Act.

And

In the matter of: **Rashamay Biswas & Ors.**

....Petitioners.

Mr. Mrinal Kanti Mukherjee

...for the Petitioners.

Mr. A. Ganguly,

Mr. S.K. Dan

...for the State.

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioners are in-laws of the housewife and had tortured the housewife who committed suicide within one year of marriage.

There are prima facie materials against petitioner Nos.1 and 2 with regard to torture of the housewife who committed suicide within one year of marriage. Accordingly, we are not inclined to grant anticipatory bail to the petitioner Nos.1 and 2.

However, allegation of demand of dowry and torture arising therefrom by petitioner No.3, Rakesh Biswas may be assessed in the light of the fact that he is a 18 year-old person at the appropriate stage of the proceedings in accordance with law. Accordingly, we are inclined to grant anticipatory bail to petitioner No.3.

Accordingly, we direct that in the event of arrest, the petitioner No.3, Rakesh Biswas, be released on bail upon furnishing a bond of

Rs.10,000/- (Rupees Ten Thousand Only), 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.

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

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.)