

14/12/2020
Item No.141 DL
S.DE/AD
(Partly Allowed)

C.R.M. 10300 of 2020

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Falakata P.S. Case No. 371 of 2020 dated 16.11.2020 under Sections 498A/304B of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In the matter of : Sri Biswajit Roy @ Barman @ Tapash

Barman & Others.

...Petitioners.

Mr. Arnab Saha ...for the Petitioners.

Ms. Aditi Shankar Chakraborty
Mr. Tapan Bhattacharjee ...for the State.

Petitioners are the husband and in-laws of the victim.

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

Learned counsel appearing for the State opposes the prayer of the anticipatory bail.

We have considered the submissions of the witnesses including the neighbours. Allegations of torture is essentially against the petitioner no.1 i.e. the husband.

Accordingly, we are not inclined to grant anticipatory bail to the petitioner no.1.

However, keeping in mind the extent and complicity of petitioner nos. 2 and 3 being the in-laws of the victim/housewife in the alleged offence, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest the petitioner nos. 2 and 3 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.

The application for anticipatory bail is thus disposed of.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)