

14.01.2021
Item No.151
Ct.No.28
s.d.
Allowed

C.R.M. 168 of 2021
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In the matter of : Joytsnara Begam and ors ... Petitioners.

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee

... For the Petitioners.

Mr. Tanmoy Kumar Ghosh
Ms. Sima Biswas

... For the State.

Apprehending arrest in connection with Pursurah Police Station Case No. 174 of 2020 dated 18-10-2020 under Sections 498(A)/307/406/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act (G.R Case No.1048 of 2020), the present application has been preferred.

Learned advocate appearing for the petitioners submits that the petitioner no.1 is the mother-in-law, the petitioner no.2 is the father-in-law and the petitioner no.3 is the brother-in-law of the *de facto* complainant. The petitioners have been falsely implicated in the criminal proceedings and there is no incriminating material against them. The husband of the *de facto* complainant has already

been enlarged on bail. Upon completion of the investigation, charge sheet has been submitted and as such, custodial detention of the petitioners is not necessary.

Mr. Ghosh, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the injury report and the fact that the husband of the *de facto* complainant has already been enlarged on bail, we are of the opinion that custodial detention of the petitioners is not necessary.

Accordingly, we allow the application for anticipatory bail and 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, one of whom must be local, 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.

The application for anticipatory bail, being CRM 168 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)