

CRM No.277 of 2021
Via video conference

21.01.21
(S.R.)
Sl.159
Ct.28

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Sabang Police Station Case No.200 of 2020 dated 02.09.2020 under Sections 498A/323/325/307/354/406/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act;

And

In re: Swapan Pal

... petitioner.

Mr. Suman De

Mr. Debanshu Ghorai

... for the petitioner.

Mr. Imran Ali

Mr. Mirza Firoj Ahmed Begg

...for the State.

Mr. Soumajit Chatterjee

... for the de facto complainant.

Mr. De, learned advocate appearing for the petitioner submits that the complaint was lodged about 11 years after the marriage was solemnized. The petitioner has been falsely implicated and in view of the nature of allegations, custodial detention of the petitioner is not necessary. He further submits that other in-laws have already been granted anticipatory bail by the learned Sessions Court.

Mr. Chatterjee, learned advocate appearing for the *de facto* complainant opposes the petitioner's prayer and submits that there are specific allegations against the petitioner herein, who is the husband.

Mr. Begg, learned advocate appearing for the State has drawn our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the injury report and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial detention of the petitioners is not warranted.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Swapan Pal**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, 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 and on a further condition that the petitioner shall meet the investigating officer once in a week on and from 25th January, 2021, until further orders.

Accordingly, the application for anticipatory bail being CRM No.277 of 2021, is allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)