

27.01.21 In re: An application for anticipatory bail under Section 438 of the
(S.R.) Code of Criminal Procedure filed in connection with **Kultali** Police
Sl.214 Station **Case No.539 of 2020** dated **26.12.2020** under Sections
Ct.28 **498A/306/406/34** of the Indian Penal Code along with Sections 3
and 4 of Dowry Prohibition Act;

And

In re: Sri Nanda Bag

... petitioner.

Mr. Rupayan Deb

... for the petitioner.

Mr. Saswata Gopal Mukherjee. Ld.P.P
Smt. Sreeparna Das

...for the State.

The learned advocate appearing for the petitioner submits that the alleged incident occasioned about eight years after the marriage. On the date of the alleged incident, the petitioner was in Tamilnadu. The other co-accused persons are already in custody. There is no incriminating material on record against the petitioner and as such, custodial detention of the petitioner is not necessary.

The learned advocate appearing for the State opposes the petitioner's payer for anticipatory bail 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 nature of allegation and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial detention of the petitioner is not warranted.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sri Nanda Bag**, 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.

The application for anticipatory bail being CRM No.353 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)