

12.03.2021
Court No.28
Item No. 17
Krishnendu
Allowed

**CRM 522 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of
the Code of Criminal Procedure;
And

In Re : **Safiur Rahaman & Anr.**

Petitioners

Mr. Arnab Saha
Mr. Subhasis Saha

For the Petitioners

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

For the State

Apprehending arrest in connection with Rampurhat P.S.
Case No. 429 of 2020 dated 06.12.2020 under sections
498A/302/304B of the Indian Penal Code, 1860 and sections 3
and 4 of the Dowry Prohibition Act, 1961, the petitioners have
filed the present application.

The learned advocate appearing for the petitioners submits
that the petitioners are the brothers-in-law of the victim lady and
they been falsely implicated. The husband of the victim lady is
not even an accused in this case and the father-in-law of the
victim lady has already been enlarged on bail. In the said
conspectus, custodial interrogation of the petitioners is not
necessary.

The learned advocate appearing for the State opposes the
petitioners' prayer for anticipatory bail and draws our attention
to several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Safiur Rahaman and Mosiur Rahaman**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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 No. 522 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)