

12.03.2021
Item no.23
Court No.28
Avijit Mitra

C.R.M. 604 of 2021 (through video conference)

In Re:- An application for anticipatory bail under
Section 438 of the Code of Criminal Procedure, 1973;
And

In Re : Bikash Das & ors.

.... Petitioners

Mr. Abdur Rakib

...for the petitioners

Mr. Arijit Ganguly,

Mr. Sanjib Dan,

Mr. M.F.A. Begg

...for the State

Apprehending arrest the present application has been filed in connection with BDN Women Police Station Case No. 27 of 2020 dated 14.11.2020 under sections 498(A)/494/406 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

The learned advocate appearing for the petitioners submits that the petitioner no.1 is the father-in-law, petitioner no.2 is the mother-in-law, petitioner no.3 is the brother-in-law and the petitioner no.4 is the husband, who married the *de facto* complainant on 26th December, 2013 and they have a son. All the petitioners have been falsely implicated and the allegations levelled against them are unfounded. In the said conspectus custodial interrogation of the petitioners is not necessary.

Mr. Begg, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to

several documents in the case diary. He submits that investigation is still in progress.

Having heard the learned advocates 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 necessary.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Bikash Das, Chobi Das, Abhijit Das and Biswajit Das**, 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 and on further condition that the petitioners shall meet with the investigating officer as and when called for.

Accordingly, the application being C.R.M. No.604 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)