

21.05.2021
SL No.12
Court No.28
(gc)

CRM 1192 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Domkal Police Station Case No.978/2017 dated 12.11.2017 under Sections 498A/325/313/379/120B/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

And

In the matter of : **Arman Sk. & Ors.**

- Petitioners

Mr. Jishan Iqubal Hossain,
... For the Petitioners.

Mr. Saibal Bapuli, Ld. A.P.P.,
Mr. Sanjib Kr. Dan
... For the State.

It is submitted on behalf of the petitioners that the petitioners are the husband, mother-in-law and aunt-in-law of the victim and have been falsely implicated. The charge-sheet has been submitted.

The State produces the injury report of the victim and opposes the prayer for anticipatory bail.

We have considered the materials on record including the injury report of the victim. It appears that the victim was administered medicine which caused her miscarriage. Having regard to the prima facie involvement of the petitioner No.1, **Arman Sk.**, in the alleged offence as appears from the materials available before us, we are inclined to hold that the petitioner No.1 is not entitled to be released on anticipatory bail. Accordingly, the prayer for anticipatory bail in respect of Petitioner No.1 is rejected.

However, in view of extent of complicity of petitioner Nos.2 and 3 in the alleged offence, we are inclined to hold that they may be granted anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner Nos.2 and 3 is allowed.

Accordingly, we direct that in the event of arrest the **petitioner No.2, Sephara Bewa @ Sepera Bibi** and **petitioner No.3, Fulsura Bewa**, 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.1192 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.

(Suvra Ghosh, J.)

(Soumen Sen, J.)