

42

sg

18-05-2021

Court 28

**C.R.M. 1230 of 2021  
(Via Video Conference)**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ratua Police Station Case No. 720 of 2019 dated 30.12.2019 under sections 498A/325/315/308/34 of the Indian Penal Code.

Guljar Hossain & Ors.  
Versus  
State of West Bengal

Allowed

Mr. Arup Sarkar, Adv.

...for the petitioners.

Mr. Prasun Kr. Dutta, Adv.

Mr. Subrata Ray, Adv.

...for the State.

The petitioners are the in-laws of the complainant. The petitioner no.1 is the father-in-law, petitioner no.2 is the mother-in-law and the petitioner nos. 3 and 4 are the brothers-in-law of the complainant.

It is submitted on behalf of the petitioners that three co-accused persons i.e. the husband and two brothers-in-law were released on bail by the learned trial court and the petitioners are standing on the same footing as the co-accused persons who have been released on bail. As such, there is no necessity to arrest them. It has also been submitted by the learned Counsel for the petitioners that charge-sheet has already been filed.

The learned Counsel for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and in view of the fact that the three co-accused persons have been released on bail, we are of the opinion that custodial interrogation of the present petitioners may not be necessary.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on anticipatory bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) 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 learned trial court is directed to take step for consideration of charges at the earliest.

The application for anticipatory bail is allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Suvra Ghosh, J.)**

**(Soumen Sen, J.)**