

04.08.2021
Item no.7.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1265 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 01.02.2021 in connection with Joypur Police Station Case No.110 of 2018 Dated 22.12.2018 under Sections 498A/302/304B/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act

And

In the matter of : Bhutnath @ Monahar Roy

.....Petitioner.

Ms. Pampa De Dhabalfor the Petitioner.

Ms. Faria Hossain,
Ms. Baishali Basufor the State.

The petitioner is the son of the uncle-in-law of the victim. We are told that the other co-accused persons including the husband of the victim have been granted anticipatory bail. Charge sheet has been filed.

We have considered the material on record. The petitioner used to reside separately from the victim.

On an overall assessment of the facts and circumstances of the case, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.1265 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)