

02.06.2021

Sl. No.43

Court No.30

Saswata

CRM 1434 of 2021

(Via Video Conference)

In Re: An application for bail under Section 438 of the Code of Criminal Procedure, 1973.

And

In the matter of: Satya Mondal & anr.

... Petitioners

Mr. Suman Chakraborty

Mr. Devipriya Maitra

... for the petitioner

Mrs. Sukanya Bhattacharya

Mr. Ashok Das

Mr. Nirupam Dhali

... for the State

It is submitted on behalf of the petitioners that two petitioners are the brother-in-law and sister-in-law having arraigned as accused persons in connection with an offence under Sections 498A/406/323/325/354/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act and they are apprehending arrest in connection thereof.

Our attention is invited by learned counsel for the petitioner at annexure P-1 being an order dated 20.01.2021 passed in CRM 251 of 2021 whereby, the father-in-law and mother-in-law were granted anticipatory bail.

We have heard learned counsel for the parties. It is candidly submitted by learned counsel for the State that the husband of de facto complainant is not arrayed as an accused in the FIR and it appears that the in-laws have been falsely implicated at the instance

of the husband of the de facto complainant and the injury reflected from the medical report is simple in nature and a bailable offence.

Having heard learned counsel for the parties, we are inclined to admit the petitioners on anticipatory bail.

Accordingly, we direct that the petitioners be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of like amount each to the satisfaction of the Investigating Officer and also subject to the conditions embodied under Section 438 (2) of the Code of Criminal Procedure, 1973, in the event of their arrest.

Accordingly, the application for anticipatory bail being CRM 1434 of 2021 is, thus, disposed of.

(Aniruddha Roy, J.)

(Shivakant Prasad , J.)