

28.07.2021
Item no.22.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1533 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 05.02.2021 in connection with Basirhat Police Station Case No.1037 of 2020 Dated 12.9.2020 under Sections 498A/304B/34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act

And

In the matter of : Mantu Mandal @ Mintu Mandal & Others

.....Petitioners.

Mr. M. H. Choudhuryfor the Petitioners.

Mr. S. G. Mukherjee, Ld. PP,
Mr. Partha Pratim Das,
Ms. Manasi Royfor the State.

The petitioners are the parents in law (P.1 and P.2) and sister in law (P.3) of the victim. We are told that the third petitioner has been arrested and hence, the application is not pressed insofar as she is concerned.

We have heard learned Counsel for the parties. We have seen the material in the case diary. The husband of the victim has been enlarged on bail after having been arrested, by the Court below. There appears to be no direct and specific

allegation against the petitioner nos.1 and 2, who are elderly people.

Having regard to the material on record and the facts and circumstances of the case as also the fact that the husband of the victim is enjoying bail, we are of the view that immediate custodial interrogation of the petitioner nos.1 and 2 may not be necessary so long as they fully cooperate with the Investigating Officer.

We are told that charge sheet has already been submitted.

Accordingly, in the event of arrest, the petitioner nos.1 and 2 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 of the concerned police station and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

The application for anticipatory bail being C.R.M. No.1533 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.)

