

05.08.2021

Court No.28
Item No.308
(Allowed)

Akd
&
As

CRM 1589 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 Dhantala Police Station Case No. 35 of 2021 dated 23.01.2021 under Sections 498A/307/406/34 of the Indian Penal Code;

And

In the matter of : **Sanjib Raha Roy & Ors.**
...Petitioners

Mr. P. Mitra,
Mr. Somnath Majumder.

...For the Petitioners

Mr. Tanmoy Kumar Ghosh,
Mr. Arindam Sen.

...For the State.

Leave is granted to correct the cause title of the instant application for anticipatory bail here and now.

Apprehending arrest in connection with Dhantala Police Station Case No. 35 of 2021 under Sections 498A/307/406/34 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail.

The present petitioners are the husband, father-in-law and mother-in-law of the complainant seeking anticipatory bail being apprehensive of arrest in connection with the aforesaid case.

After perusing the complaint as well as the statement of the victim lady, we find that the case was registered on the basis of an application filed by the complainant under Section 156 Clause 3 of the Code of Criminal Procedure. There is neither injury report nor iota of evidence available in the record suggesting any physical torture.

We thus do not find any justification for custodial interrogation of the petitioners.

The prayer for anticipatory bail is thus allowed.

Accordingly, in the event of arrest, the petitioners 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 on conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail, being CRM 1589 of 2021 is thus **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)