

Item No.29
11-08-2021
(ct. no.32)
(AD)
Allowed

(Via Video Conference)

CRM 1911 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dantan Police Station** Case No. **461 of 2019** dated **28.12.2019** under Sections **498A/323/307** of the Indian Penal Code and under Sections **3/4** of the Dowry Prohibition Act.

- A n d -

In the matter of : Prabhat Mondal

.... Petitioner.

Mr. Purnasis Bhuniya

... For the Petitioner.

Mr. Imran Ali

Ms. Sutapa Banerjee

... For the State.

The allegation is that the petitioner and his family members used to torture the victim lady for bringing in more dowry.

The petitioner is the husband of the victim lady. He says that the allegations have been blown out of proportions and he has been falsely implicated. There was normal marital friction between the couple and nothing more.

We have seen the material in the case diary including the injury report and the statement of the victim girl recorded under Section 161 of the Criminal Procedure Code. The injuries are definitely not life threatening or very serious.

Upon considering the overall facts and circumstances of the case and the material in the case diary and keeping in view the fact that other persons who are also

accused in this case have been granted bail by the learned Court below, although charge sheet has not yet been submitted, we are of the opinion that immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with the investigation.

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 the event the petitioner fails to adhere to any of the conditions stipulated in Section 438(2) of the Code of Criminal Procedure, the Learned Court below will be at liberty to cancel the anticipatory bail without reference of this Court.

The application for anticipatory bail being CRM 1911 of 2021 is, thus, allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)