

12.08.2021

(Via Video Conference)

Court No. 28
Item No. PB - 290
nandy

CRM 1919 of 2021

(antibail - granted)

In Re:- An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 18.02.2021 in connection with Barjora Police Station Case No. 79 of 2020 dated 23.10.2020 under Sections 498A/304B/34 of the Indian Penal Code.

and

In the matter of: **Bam @ Bamdeb Ghosh**

.....Petitioner

Mr. Samirn Mondal, Advocate

Mr. Nitish Samanta, Advocate

.....for the Petitioners

Mr. Saswata Gopal Mukherjee, Learned Public Prosecutor

Ms. Faria Hossain, Advocate

Ms. Baisali Basu, Advocate

.....for the State

Apprehending arrest in connection with Barjora Police Station Case No. 79 of 2020 dated 23.10.2020 under Sections 498A/304B/34 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

The husband and the mother-in-law of the victim lady who committed suicide, have already been enlarged on bail. The instant application for anticipatory bail has been taken out by the father-in-law of the victim lady. Charge-sheet has already been submitted. The allegation as it appears from the record, is omnibus in nature and attributable to the conduct of the co-accused persons in uniform manner.

Since the other co-accused persons i.e. the husband and the mother-in-law, have already enlarged on bail and the fact

that charge-sheet has already been submitted, we do not find any justification in not extending the benefit of Section 438 of the Code of Criminal Procedure to the present petitioner.

Thus, the prayer of anticipatory bail is **allowed**.

Accordingly, in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and on condition as laid down under Section 438(2) of the Code of Criminal Procedure and on further condition that the petitioner shall attend the trial Court on every date of hearing until further order.

The application for anticipatory bail being **CRM 1919 of 2021** is thus **disposed of**.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)