

05.08.2021

(Via Video Conference)

Court No.28
Item No.336
(ALLOWED)

CRM 1957 of 2021

Ab

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 18.02.2021 in connection with English Bazar Police Station Case No. 717 of 2019 dated 22.07.2019 under Sections 498A/325/307/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act (G. R. Case No. 3157 of 2019);

And

In the matter of : **Patani Bibi.**

...Petitioner

**Mr. Kallol Mondal,
Mr. Musharaf Alam,
Mr. Krishan Roy,
Ms. Amrita Chel,
Mr. Souvik Das,
Mr. Anamitra Banerjee.**

...For the Petitioner

Ms. Kum Kum Mitra.

... For the State

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

Apprehending arrest in connection with English Bazar Police Station Case No. 717 of 2019 under Sections 498A/325/307/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

The petitioner is the mother in-law of the defacto complainant in the case under Sections 498A/325/307/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

It is submitted by the learned Advocate for the petitioner that

the husband of the defacto complainant has already been granted interim bail. All allegations are against the husband.

Learned Advocate for the State raises objection against the prayer for anticipatory bail but admits that primary allegation is against the husband, who has been granted bail.

On such score, we are of the view that the petitioner is entitled to be released on anticipatory bail.

Accordingly, we direct that 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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 1957 of 2021 is, thus, **allowed**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)