

42 07.06.2021
S.K/ Ct. No.28
S.M (Allowed)

C.R.M. 2000 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **22/02/2021** in connection with Santipur P.S. Case No. **10 of 2021** dated **04/01/2021** under Sections 498A/306/34 of the Indian Penal Code.

And

In the matter of: Sridam Das & Ors.

....petitioners.

Ms. Minoti Gomes,
Mr. P. S. Das

...for the petitioners.

Mr. Bidyut Roy,
Ms. Rita Datta

...for the State.

The application for anticipatory bail under Section 438 CrPC has been filed apprehending arrest in connection with Santipur Police Station Case No. 10 of 2021 dated 04.01.2021 under Sections 498A/306 read with Section 34 IPC.

It is submitted that the main accused has been enlarged on bail. The petitioners are the brother-in-law and the other family members of the husband. The marriage is supposed to have continued for 20 long years. The principal allegation against the petitioners are based on the statements recorded under Section 164 CrPC given by the daughter of the deceased wife from a previous marriage.

In the above circumstances, this Court is inclined to allow the application for anticipatory bail of the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing Bond of Rs.

10,000/- (Rupees Ten Thousand only) each with two sureties of like amount each to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall meet the investigating officer once in a week until further orders. The petitioners shall appear before the investigating officer and hand over their passport, if any, within a period of four weeks from date. In the event the petitioners do not have passport, they shall personally appear before the investigating officer and furnish an affidavit to that effect within the time frame mentioned herein above.

In the event the petitioners fail to appear before the trial court or breach any of the conditions, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this court.

The application for anticipatory bail is, thus, disposed of.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)