

CRM 2882 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Rampurhat Police Station Case No.88 of 2021 dated 02-03-2021 under Sections 498A/307 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

- A n d -

In the matter of : Kiron Sekh & Ors.

.... Petitioners.

Mr. Bitasok Banerjee,
Mr. Abdus Salam

... For the Petitioners.

Ms. Sukanya Bhattacharyya,
Ms. Sutapa Banerjee

... For the State.

Learned advocate for the petitioners, on instructions, does not press this application for anticipatory bail on behalf of the petitioner no.1 since he has already been taken into custody. This application is dismissed insofar as the petitioner no.1 is concerned.

The petitioner no.2 is the father-in-law, the petitioner no.3 is the mother-in-law and the petitioner no.4 is the uncle-in-law of the victim lady. These petitioners say that they have been falsely implicated. They have never tortured or demanded dowry from the victim. They never inflicted any bodily injury on the victim.

We have seen the material in the Case Diary. The statements of witnesses who are neighbours are omnibus and general in nature. The injury report does not reveal anything significant.

On an overall assessment of the material in the Case Diary and the nature and gravity of the alleged offence as also the possible extent of complicity of the petitioner nos.2, 3 and 4 in the alleged offence, we are of the view that immediate custodial interrogation of the petitioner nos.2, 3 and 4 is not necessary so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner nos.2, 3 and 4, respectively namely, **Jasem Sekh, Fatema Bibi** and **Kashem Sekh**, shall be released on bail upon furnishing bonds of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. The petitioner nos.2, 3 and 4 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In the event the petitioner nos. 2, 3 and 4 fail 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 further reference to this Court.

The application for anticipatory bail being CRM 2882 of 2021 is, thus, **disposed of**.

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

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**