

CRM 3011 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Shantipur Police Station Case No.355 of 2020 dated 12-08-2020 under Sections 498A/304B/34 of the Indian Penal Code.

- A n d -

In the matter of : Santanu @ Santa Sarkar

.... Petitioner.

Mr. Prabir Majumdar

... For the Petitioner.

Mr. Prasun Kumar Datta, learned APP,
Mr. Santanu Deb Roy

... For the State.

The petitioner is the brother-in-law of the victim, who, we are told, committed suicide after about six and a half years of marriage. The allegation is that the husband and the in-laws of the victim tortured her regularly.

We have seen the material in the Case Diary including the statements of witnesses. The allegations are general and omnibus in nature. The present petitioner is not specifically implicated. The husband of the victim was arrested and has been enlarged on bail by the learned trial Court. The mother-in-law of the victim has been granted anticipatory bail by the learned trial Court. Charge Sheet has already been submitted.

On an overall assessment of the facts and circumstances of the case and the material on record and considering the extent of possible complicity of the petitioner in the alleged offence, we are of the view that immediate custodial interrogation of the petitioner may not be necessary.

Accordingly, in the event of arrest, the petitioner, namely, **Santanu @ Santa Sarkar**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. The petitioner shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

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 further reference to this Court.

The application for anticipatory bail being CRM 3011 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.

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**