

29.09.2021
Item no.57.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 3365 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Raiganj Police Station Case No.357 of 2020 Dated 25.10.2020 under Sections 498A/302/34 of the Indian Penal Code read with Sections 3 /4 of the Dowry Prohibition Act

And

**In the matter of : Shibu Sarkar
@ Shibendra Nath Sarkar & Anr.**

.....Petitioners.

Mr. Anindya Ghosh,
Mr. Sudip Guhafor the Petitioners.

Mr. S. G. Mukherjee, ld. PP,
Ms. Faria Hossain,
Ms. Sonali Dasfor the State.

The petitioner no.1 is the father-in-law and the petitioner no.2 is the brother-in-law of the victim lady, who is alleged to have committed suicide after ten years of marriage.

We have seen the statements of relatives and neighbours in the case diary. There are general allegations of torture, but nothing specific. The father-in-law is 71 years old.

On an overall assessment of the material on record and the possible extent of complicity of the petitioners in the alleged offence, we are of the view that immediate custodial

interrogation of the petitioners may not be necessary so long as they fully cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely Shibu Sarkar @ Shibendra Nath Sarkar and Chitta Sarkar shall be released on bail upon furnishing a bond of Rs.10,000/-each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that they shall meet the Investigating Officer once in a fortnight till the completion of investigation.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.3365 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)