

29.09.2021
Item no.59.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 3369 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 : Alok Sarkar

.....Petitioner.

Mr. Anindya Ghosh,
Mr. Sudip Guha for the Petitioner.

Mr. S. G. Mukherjee, Id. PP,
Ms. Faria Hossain,
Mr. Aniket Mitra for the State.

The petitioner is the husband 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.

On an overall assessment of the material on record and the possible extent of complicity of the petitioner in the alleged offence, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he fully cooperates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner, namely Alok Sarkar 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 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 he shall meet the Investigating Officer once in a fortnight till the completion of investigation.

In case the petitioner fails 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.3369 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.)