

04.10.2021
Item no.39.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 3522 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Dhantala Police Station Case No.69 of 2021 Dated 20.02.2021 under Sections 498A/304B/34 of the Indian Penal Code

And

In the matter of: Sonai Halder & Anr.

.....Petitioners.

Ms. S. Bhattacharyafor the Petitioners.

Mr. S. S. Imam,
Mr. S. Kundufor the State.

The petitioners are the parents-in-law of the victim lady.

The State says that the lady committed suicide within 11 months of marriage. There are allegations of dowry demand and torture against the petitioners. Investigation is in progress. The prayer of the petitioners for anticipatory bail should not be entertained.

The petitioners say that they have no direct implication in the alleged offence. The husband of the victim has been granted bail by this Court after being arrested.

We have seen the statements of witnesses in the case diary. The allegations are general and omnibus against the husband and in-laws of the victim lady.

Considering the fact that the victim's husband has been enlarged on bail and the present petitioners are similarly circumstanced and on an overall assessment of the material on record, we are of the view that although charge sheet is yet to be submitted, 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 Sonai Halder and Sricharan Halder 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 the petitioner no.2 shall report to the Investigating Officer once in a fortnight till completion of the 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.3522 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.)