

30.11.2021
Item no.196
Court No.32
Avijit Mitra

C.R.M. 4631 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Subhajit Roychowdhury & ors.

.... petitioners

Mr. Soumik Ganguly

....for the petitioners

Mr. Imran Ali,

Mr. M.F.A. Begg

..... for the State

Apprehending arrest in connection with Nimta Police Station Case No.478 of 2021 dated 09.06.2021 under Sections 498A of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act, 1961, the present application has been preferred.

Mr. Ganguly, learned advocate appearing for the petitioners submits that the petitioner no.1 is the husband, petitioner nos. 2 and 3 are the father-in-law and mother-in-law of the victim. They have been falsely implicated and the allegations are absolutely vague. The petitioner no.1 married the victim lady on 14th February, 2021 and the victim lady filed a matrimonial suit against the petitioner no.1 which is presently pending. In the said conspectus custodial interrogation of the petitioners is not necessary. He further submits that the petitioner nos. 2 and 3 are aged persons and there is no likelihood that they would flee from justice.

Learned advocate appearing for the State opposes the petitioners prayer and draws our attention to several documents in the case diary including the injury report.

Having heard learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not necessary.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Subhajit Roychowdhury, Parthajit Roychoudhury and Tapashi Roychoudhury** shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten thousand only) each with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that the petitioner no.1 shall meet with the investigating officer once a fortnight on and from 6th December, 2021 till the investigation is over.

The application for anticipatory bail being C.R.M. 4631 of 2021 is disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)

