

13.12.2021
ct 28
cm/suvayan
sl no. 108

C.R.M. 4972 of 2021

In Re : An application for Anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kandi P.S Case No. 114 of 2021 dated 22.02.2021 under Sections 498A/304B/306/34 of the Indian Penal Code, 1860 and 3 /4 Dowry Prohibition Act, 1961.

And

Allowed

In Re : Mirajul Sk @ Sekh & Anr.

..... petitioners

Mr. Jisan Iqubal Hossain

..... for the petitioners

Ms. Faria Hossain

Ms. Baisali Basu

..... for the State

It is submitted on behalf of the petitioners that petitioners are the in-laws of the victim housewife. They has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail and submits that victim committed suicide within five years of marriage.

We have considered the materials on record. Allegations of torture are general and omnibus. Whether the victim was subjected to torture by the petitioners soon before her unnatural death requires to be assessed in course of trial. Investigation is complete. In view of the aforesaid facts and the extent of complicity of the petitioners, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Petitioners shall appear before the court below and pray for regular bail within two weeks from date.

The application being CRM 4972 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)