

14.12.2021

72
sdas
Allowed

**C.R.M. 5574 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Gazole Police Station Case No. 371 of 2021 dated 05.05.2021 under Sections 498A/323/324/325/308 and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

And

In Re : Bhudeb Roy & Ors. petitioners

Mr. Soupal Chatterjee

.....for the petitioners

Mr. Partha Pratim Das

Mrs. Manasi Roy

....for the State

It is submitted by the learned Counsel appearing for the petitioners that the defacto complainant had an extra-marital relationship and as a result of that there was domestic quarrel. Under such circumstances, petitioners have been falsely implicated in the present case.

Learned Counsel appearing for the State opposes prayer for anticipatory bail.

Having considered the materials on record and keeping in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioners and as the injuries of the victim do not appear to be life threatening, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioners shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)