

64 03.12.2021
(AD)
Court No.29
(Allowed)

**C.R.M. 5680 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 25.08.2021 in connection with **Bhupatinagar** P.S. Case No. **279 of 2021** dated **22/07/2021** under Sections **498A/323/307/34** of the Indian Penal Code and Sections **3/4** of the Dowry Prohibition Act.

And

In the matter of: Ashish Jana @ Ashish Kumar Jana & Ors.
....petitioners.

Mr. Amitabha Karmakar
...for the petitioners.

Md. Kutubuddin
...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that this is a second complaint under Section 498A of the Indian Penal Code against the husband. He submits that on previous occasion, the petitioners obtained bail.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case diary.

Considering the fact that this is the second complaint under Section 498A of the Indian Penal Code and considering the fact that the petitioners were enlarged on bail on the previous complaint, we 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/- 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 and on further condition that the petitioner nos.1 and 2 shall meet the Investigating Officer as and when called for till the conclusion of the investigation and petitioner no.3 will cooperate with the investigation and that the petitioners shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 5680 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Krishna Rao, J.)