

08.10.2021
Item no.13
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 6495 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 27.09.2021 in connection with Khatra Women Police Station Case No. 08 of 2021 dated 09.08.2021 under Sections 498A/323/307 and 3 /4 of Dowry Prohibition Act.

And

**In the matter of : Sandip Kumar Mahanti @ Sandeep
Mahanti.**

.....Petitioner.

Mr. Bivasan Bhattacharjee, Advocate,
Mr. Amal Kumar Saha, Advocate,
Mr. I. Paul, Advocate,

.....for the Petitioner.

Mr. Imran Ali, Advocate,
Mr. M.F.A. Begg, Advocate,

.....for the State.

The petitioner is the elder brother-in-law of the victim lady. The complaint was filed about nine years after the marriage. The allegation is of physical torture, verbal abuse, dowry demand, causing physical injury and attempt to murder.

The petitioner says that it is not in dispute that he is a resident of Delhi. He never ever abused or tortured the victim.

We have seen the statement of the victim lady recorded under Section 161 of the Code of Criminal Procedure. The

allegations are general in nature against all the accused persons. There is no injury report.

On an overall assessment of the facts and circumstances of the case and the material on record, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he co-operates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner namely **Sandip Kumar Mahanti @ Sandeep Mahanti** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 shall report to the Investigating Officer once in a fortnight until completion of investigation.

In case the petitioner fails 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 CRM 6495 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.)

