

17.11.2021
Serial no12

Aloke
Ct. No. 29

(Through Video Conference)

CRM 6753 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 29.09.2021 in connection with Mothabari Police Station Case No. 417 of 2020 dated 28.11.2020 under Sections 498A/313 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

-And-

In the matter of : **Sabiul Haque & Ors.**

... Petitioners

Mr. Mritunjoy Chatterjee, Advocate

Mr. Md. G.N. Imrohi, Advocate

... ... For the Petitioners

Mr. Imran Ali, Advocate

Mr. M.F.A. Begg, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated. The complaint was lodged seven years after marriage and three months before the alleged incident.

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

Considering the gravity of the offences and considering the complicity of the petitioner no. 1 in the incident, we are not inclined to grant anticipatory bail to him. The prayer for anticipatory bail of petitioner no. 1 (Sabiul Haque) is, thus, rejected. However, we extend the anticipatory bail to petitioner nos. 2 and 3. The prayer for anticipatory bail of petitioner nos. 2 (Nurnahar Bewa) and 3 (Nadira Bibi) is, thus, allowed.

Accordingly, we direct that in the event of arrest, the petitioner nos. 2 (Nurnahar Bewa) and 3 (Nadira Bibi) shall be released on anticipatory 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 and with a further condition that the petitioner

nos. 2 (Nurnahar Bewa) and 3 (Nadira Bibi) shall appear before the Court below and pray for regular bail within four weeks from date and with a further condition that the petitioner nos. 2 (Nurnahar Bewa) and 3 (Nadira Bibi) shall appear before the jurisdictional court on every date fixed for hearing.

The prayer for anticipatory bail is partly allowed.

CRM 6753 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)