

16.11.2021
41
Ct. No. 29
KAUSHIK
Partly
Allowed

C.R.M. 7327 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ghatal** Police Station Case No. **264** of **2019** dated **16.08.2019** under Sections 498A/323/307/406/34 of the Indian Penal Code, 1860 and Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Prasenjit Manna & Anr.

..... petitioners

Mr. Amitava Karmakar
Mr. Arup Kumar Bhowmik

.....for the petitioners

Mr. Bidyut Kumar Roy
Ms. Rita Dutta

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, two other co-accused were granted anticipatory bail by the Jurisdictional Court.

Learned advocate appearing for the State submits that, first petitioner is the husband and the second petitioner is the mother-in-law. He draws the attention of the Court to the statement recorded under Section 161 of the Code of Criminal Procedure (Cr. P. C.) as also to the injury report.

Considering the gravity of the offence and nature of involvement of the first petitioner and considering the materials in the case diary, we are unable to grant anticipatory bail to the petitioner no. 1 (Prasenjit Manna). So far as the second petitioner is concerned, since two other persons were granted anticipatory bail, we extend the same facility to the petitioner no. 2 (Jayanti Manna).

Accordingly, we direct that in the event of arrest the petitioner no. 2 (Jayanti Manna) shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, partly allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)

