

28.06.2021

Item No.09

Court No.30

Avijit Mitra

C.R.M. 9721 of 2020
(Through video conference)

In Re : An application for anticipatory bail under section 438 of
the Code of Criminal Procedure;

And

In Re : Sri Premchand Sharma @ Prem Datt & ors.... petitioners

Mr. Anjan Datta,
Mr. Gogonjyot Singh,
Mr. Jnip Bose

..... for the petitioners

Mr. Imran Ali,
Mr. Nirupam Dhali

..... for the State

Apprehending arrest the present application has been
preferred in connection with Tarakeswar Police Station Case No.
139 of 2020 dated 07.10.2020 under sections
498(A)/406/323/504/506(2)/120B/34 of the Indian Penal Code
read with Sections 3/4 of the Dowry Prohibition Act.

Learned advocate appearing for the petitioners submits that
the petitioner nos.1 and 2 are the father-in-law and the mother-in-
law of the *de facto* complainant. The petitioner nos.3 and 4 are the
married sisters-in-law of the *de facto* complainant. They have been
falsely implicated in the present case. No overt act has been
attributed to them. The principal accused being the husband of the
de facto complainant has already been granted anticipatory bail by
a Coordinate Bench of this Court on 12th March, 2021 in CRM
No.622 of 2021.

Learned advocate for the State opposes the prayer for anticipatory bail and submits that there are incriminating materials against the petitioners and the investigation is still in progress.

We have heard learned advocates for the respective parties and considered the materials in the case diary. Considering the nature of allegations and since there is no chance of absconsion of the petitioners and furthermore, when the principal accused has already been granted anticipatory bail by a Coordinate Bench of this Court, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances of the present case.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Sri Premchand Sharma @ Prem Datt, Usha Rani Sharma @ Usha Devi, Sabita Sharma @ Savita Sharma, Seema Sharma @ Seema** shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount, 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 with further condition that the petitioners shall cooperate with the investigation.

With the aforesaid observations, CRM 9721 of 2020 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)