

02.03.2021

Ct.No.28

rpan /148

C.R.M. 10731 of 2020

(Via video Conference)

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

And

In Re : **Danish Shah & Another**

....Petitioners.

Mr. Tushar Kanti Har,

Mr. Somnath Chakraborty

... For the Petitioners.

Mr. Shiladitya Banerjee

... For the State.

Apprehending arrest in connection with Keshiari P. S. Case No.114 of 2018 dated 29.06.2018 under Sections 498A/376/506 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, the petitioners have filed the present application.

The learned advocate appearing for the petitioners submits that the petitioner no.1 is the father-in-law and the petitioner no.2 is the sister-in-law of the victim lady. They have been falsely implicated. No overt act has been attributed to the petitioners. In view thereof, custodial interrogation of the petitioners is not necessary.

Learned advocate appearing for the State opposes the petitioners' prayer and submits that there are materials on record which particularly disclose the involvement of the petitioner no.1 in the alleged offence.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the

extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, in the event of arrest the petitioners, viz. **1. Danish Shah** and **2. Rajeda Khatun** shall be released on bail upon furnishing a bond of `10,000/- each with two sureties of like amount each, one of whom must be local, 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.

The application for anticipatory bail, being CRM 10731 of 2020, is, thus, disposed of.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)