

04.03.2021
Court No.28
Item No. 29
Sc

**C.R.M. 10752 of 2020
(Via video Conference)**

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

And

In re: **Sk. Jaynul @ Sk. Jainul**

.....Petitioner

Mr. Kallol Mondal

Mr. Krishan Roy

Ms. Amrita Chel

Mr. A. Banerjee.

.....For the Petitioner

Mr. Tanmoy Kr. Ghosh

Mr. Pratik Bose.

.....For the State

Apprehending arrest in connection with English Bazar Police Station Case No. 105 of 2020 dated 04.10.2020 under sections 498A/307/376/511 of the Indian Penal Code read with Sections 3/4 of Dowry Prohibition Act, the petitioner has filed the present application.

Mr. Mondal, learned advocate appearing for the petitioner submits that the present petitioner is the father-in-law of the informant and he has been falsely implicated in the present case. According to the learned advocate, the present case was initiated by filing an application under Section 156(3) of the Code of Criminal Procedure after a substantial period of time.

Mr. Ghosh, learned advocate appearing for the State opposes the prayer and draws the attention of this court to the statement of the informant under Section 164 of the Code of Criminal Procedure.

We have perused the materials on record including those appearing in the case diary which have been produced by the

State. On an assessment of the same, we are of the opinion that the custodial detention of the petitioner may not be warranted in the facts and circumstances of the case, as such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, Sk. Jaynul @ Sk. Jainul, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, 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 No. 10752 of 2020, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)