

25.03.2021.

146.

as

(Allowed).

**C.R.M. 11061 of 2020**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Harirampur P.S. Case No.269 of 2020 dated 11.12.2020 under Sections 498(A)/313/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.

In the matter of : Ainuddin Sarkar @ Ainul Haque & Ors.  
... Petitioners.

Ms. Jeenia Rudra.

...for the Petitioners.

Mr. Subrata Roy.

.....for the State.

Apprehending arrest in connection with the aforementioned case initiated against the in laws' of the victim lady who lodged the complaint with the police authorities alleging the torture on the pretext of dowry.

Our attention is drawn to the order dated 22<sup>nd</sup> December, 2020 passed by the learned District & Sessions Judge, Gangarampur at Buniadpur, Dakshin Dinajpur wherein the husband of the victim lady has already been granted bail as medical documents do not justify the allegations contained under Section 313 of the Indian Penal Code. The present petitioners stand on the same footing that of the others and we thus do not find any justification in rejecting the prayer for bail.

Accordingly, we direct that in the event of arrest the petitioners namely, 1) Ainuddin Sarkar @ Ainul Haque, 2) Abdul Alim @ Islam, 3) Rahima Khatun @ Bibi, 4) Sarmin Khatun @ Sarbina Jinnat, 5) Munirul Hasan Ali @ Hasan Ali, 6) Reyajul Alam @ Islam and 7) Lakima Khatun @ Laki bibi shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one must be local to the satisfaction of the arresting officer subject to the condition that the petitioners shall attend on each day when the matter would be fixed before the trial court and in default on any solitary occasion without any justifiable cause may disentitle the petitioners from getting privilege of anticipatory bail. Apart from the aforesaid conditions, the further conditions enshrined under Section 438(2) of the Code of Criminal Procedure, 1973 shall also apply.

This application for anticipatory bail is, thus, allowed.

**(Harish Tandon, J.)**

**(Abhijit Gangopadhyay, J.)**