

19.03.2021
Item no. 99
Ct.04
PG

C.R.M. No.11154 of 2020

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Jagaddal Police Station Case No. 614 of 2020 dated 21.09.2020 under Sections 498A/304B of the Indian Penal Code read with Sections 3/4 of Dowry Prohibition Act.

And

In the matter of:- Suraj Sarkar.....petitioner

Mr. Koustav Bagchi.....for the petitioner

Mr. Bidyut Kr. Roy
Ms. Rita Dutta ..for the State

The present application under section 438 of the Code of Criminal Procedure filed at the instance of Suraj Sarkar is taken up for hearing and order.

It is submitted on behalf of the petitioner that petitioner is the husband of the victim. The F.I.R. has been lodged after delay of 2 and ½ months. Other accused have been granted anticipatory bail earlier.

State opposes the prayer for anticipatory bail and refers to the case diary.

It appears that the petitioner is the husband of the victim, who committed suicide within 4 years after marriage. Co-accused similarly circumstanced with the petitioner have been granted anticipatory bail earlier. F.I.R. has been lodged at a delay of about

2 and ½ months. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on anticipatory bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand) only with two sureties of like amount to the satisfaction of the arresting officer and also subject to the conditions as laid down under section 438 (2) of the Code of Criminal Procedure, 1973 and on further condition that petitioner will meet the investigating officer once in a week till submission of charge sheet.

The application for anticipatory bail is, accordingly, allowed.

C.R.M. 11154 of 2020 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)