

19.03.2021

Item no. 127

Ct.04

PG

C.R.M. No.11224 of 2020

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Dadpur Police Station Case No. 175 of 2020 dated 11.12.2020 under Sections 498A/406/354A of the Indian Penal Code and sections 3/4 of the Dowry Prohibition Act.

And

In the matter of:- Palash Malik & Ors.....petitioners

Mr. Ujjal Ray.....for the petitioners

Mr. Imam Ali

Ms. Manasi Roy ..for the State

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

It is submitted on behalf of the petitioners that the complaint has been lodged 12 years after marriage of the defacto complainant with petitioner no.1, who is the husband. The other petitioners are relatives of the husband.

Learned counsel for the petitioners submits that the defacto complainant deserted the petitioners in 2019 and the petitioners have been falsely implicated.

The State opposes the prayer for anticipatory bail and produces the case diary.

It appears that the petitioners are the husband and his relatives. Allegation against the petitioners is general and omnibus. There is no injury report with regard to the alleged incident. Considering the extent of complicity of the petitioners in the alleged crime, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on anticipatory bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand) only each with two sureties of like amount each 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.

The application for anticipatory bail is, accordingly, allowed.

C.R.M. 11224 of 2020 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)