

20.01.2021
Sl. No.12
AP/ss

CRM 10 of 2021
(Through Video Conference)

Sanjay Koley

... Petitioner.

Vs.

The State of West Bengal

... Respondent.

M/s Suman Sengupta,
Debanjan Das and
Sumitava Chakraborty, Advocates

...for the petitioner present in Court.

M/s Avijit Sarkar and
Namrata Das, Advocates

...for the respondent present in Court.

The present application has been filed by the petitioner seeking pre arrest bail in Dinhata Women Police Station Case No. 108 of 2020 dated 17.12.2020 registered under Section 498A of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

The learned counsel for the petitioner submitted that the petitioner in the present case is uncle of the husband of the complainant wife. He is living separately from the parties in dispute and has nothing to do with their matrimonial life. There is no specific allegation in the complaint against the present petitioner.

On the other hand, the learned counsel for the respondent submitted that he being the family member of husband of the complainant wife the entire family was harassing the complainant wife.

As there are no specific allegations against the petitioner in the present case and as he is stated to be residing separately from the

parties to the dispute, we find it to be a fit case to grant pre arrest bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing of bail bonds to the satisfaction of the arresting officer. The petitioner shall be bound by the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The present petition is disposed of accordingly.

(Rajesh Bindal, J.)

(Saugata Bhattacharyya, J.)