

(Through Video Conference)

CRM (A) 89 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 05.01.2022 in connection with Kandi Police Station Case No. 246 of 2021 dated 05.05.2021 under Sections 498A/307/326/34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act and charge-sheet submitted under Sections 498A/302/34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act.

-And-

In the matter of : **Abu Taher Sk @ Seikh & Anr.**

... ...Petitioners

Ms. Minoti Gomes, Advocate

Md. Hafiz Ali, Advocate

... ... For the Petitioners

Mr. Imran Ali, Advocate

Ms. Sujata Das, Advocate

... ... For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing fore the petitioners submits that the petitioners were living separately. She draws the attention of the Court to the dying declaration and submits that the husband of the victim was implicated. According to her, there is no materials implicating the petitioners.

Learned Advocate appearing for the State draws the attention of the Court to the dying declaration of the victim and the materials in the case diary. She submits that the police filed charge-sheet.

Considering the fact that the police filed charge-sheet and considering the fact that dying declaration of the victim does not implicate the petitioners herein, 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 bail upon furnishing a 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 subject to the conditions as laid down under Section

438(2) of the Code of Criminal Procedure, 1973 and with a further condition that the petitioners shall appear before the Court below and pray for regular bail within four weeks from date and on further condition that the petitioners shall appear before the Court below on every date fixed for hearing.

The prayer for anticipatory bail is allowed.

CRM (A) 89 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)