

21.02.2022

Sl. 6
Court No.29
sourav
(Allowed)

C.R.M. (A) 636 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **04.02.2022** in connection with **Narendrapur** P. S. Case No. **121** of **2022** dated **31.01.2022** under Sections **498A/494/406/308/506** of the Indian Penal Code read with Sections **3/4** of the Dowry Prohibition Act.

And

In the matter of: **Amit Majumder & Ors.**

....petitioners.

Mr. Partha Sarathi Mondal

...for the petitioners.

Mr. Susnigdho Bhattacharyya

...for the defacto complainant.

Mr. Debabrata Chatterjee

Ms. Manisha Sharma

...for the State.

Petitioners seek anticipatory bail.

The application is taken up for consideration subsequent to the order dated February 16, 2022.

By such order, the Investigating Officer was requested to seized the Streedhan articles and submit a report with regard thereto.

Report submitted in Court be taken on record.

It appears from such report that the police seized 40 articles none of which apparently are gold articles.

The defacto complainant submitted a list of articles which are lying with the petitioners.

Learned advocate appearing for the petitioners submits that petitioner no. 1 is ready and willing to pay a sum of Rs. 15,000/- per month towards maintenance commencing from the month of January 2022 without prejudice to his rights and contentions.

In the facts of the present case, in our view, interest of justice would be sub-served by permitting the petitioner no. 1 to

pay a sum of Rs. 15,000/- month by month commencing from the month of January 2022 until further orders passed by an appropriate court having jurisdiction over the subject of maintenance, within the 15 of each month. The payments for the months of January and February 2022 will be made by March 7, 2022. For the month of March 2022, the payment will be made by the 15 of such month and will continue month by month as submitted on behalf of the petitioner no. 1 within the 15th of such month.

The defacto complainant is at liberty to deal with the streedhan articles in accordance with law.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the offer of the petitioner no. 1 to pay maintenance to his wife, we 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/- 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 and on further condition that the petitioner no. 1 shall appear before the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner nos. 2 and 3 shall co-operate with the investigation and that the petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 636 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

