

03.03.2022

Serial no. 16

Dd

CRM (A) 1050 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Hemtabad** Police Station Case No. **17** of **2022** dated **09.01.2022** under Sections **498a/494/323/326/307/34** of the Indian Penal Code and **3/4** Dowry Prohibition Act.

-And-

In the matter of : **Juliyas Nayar @ Julius Nair & Anr.**
... **Petitioners**

Mr. Jisan Iqbal Hossain, Advocate
... ... For the Petitioners

Mr. Debabrata Chatterjee, Id. APP
Ms. Sonali Das, Advocates
... ...For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that there was a previous complaint lodged under Section 498A of the Indian Penal Code against the petitioners. The petitioners were falsely implicated. The petitioner no. 1 is an advocate and, therefore, question of absconsion of the petitioners does not arise.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. She submits that the second petitioner is the second wife of the first petitioner.

Considering the gravity of the offence and considering the materials in the case diary and considering the fact that there is a previous police compliant, 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the Court below and pray for regular bail within a period of four weeks from date and on further condition that the petitioner no. 1 shall meet the Investigating Officer once in a fortnight till completion of investigation and Petitioner no. 2 shall cooperate with the investigation till its completion.

Prayer for anticipatory bail of the petitioners is **allowed.**

CRM (A) 1050 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)