

12.04.2022

Serial no. 14

[Dd]

(Anticipatory Bail
Allowed)

CRM (A) 1669 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No. **138** of **2022** dated **07.03.2022** under Sections **498A/302/34** of the Indian Penal Code and section **3/4** Dowry Prohibition Act.

-And-

In the matter of : **Chandra Kanta Baidya & Ors.**

... ... Petitioners

Mr. Sandip Chakraborty,

Mr. Balaram Datta, Advocates

... ... For the Petitioners

Mr. Arijit Ganguly,

Mr. Avik Ghatak, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the wife committed suicide by pouring kerosene oil on her and setting herself ablaze. The petitioner no. 1 tried to save her. The petitioner no. 1 sustained burn injuries. He refers to the photographs of the petitioner no. 1.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the deceased.

It appears from the injury report that the victim was conscious when brought to the hospital. She stated before the doctor that the burn injury was by burning and that she set herself on fire.

Considering the report of the injury of the victim and considering the fact that petitioner no. 1 also suffered burn injuries, 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 petitioner nos. 1, 2 and 4 shall report before the Investigating Officer once in a week till the conclusion of the investigation and petitioner no. 3 shall cooperate with the investigation till its completion and on further condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

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

CRM (A) 1669 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)