

08.06.2022
SI. No.84
akd
[PARTLY
ALLOWED]

C. R. M. (A) 2361 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 19.05.2022 in connection with Uluberia Police Station Case No. 279 of 2021 dated 18.08.2021 under Sections 498A/406/304B/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act. (G.R. Case No.1901 of 2021)

And

In Re: **Haru Shasmal & Ors.**

... .. Petitioners

Mr. Maidul Islam Kayal

... .. for the petitioners

Mr. Joydeep Roy
Mrs. Sujata Das

... .. for the State

It is submitted on behalf of the petitioners that they are the in-laws of the victim-housewife. It is further submitted that the petitioners have been falsely implicated in the instant case. Husband as well as the elder brother-in-law of the victim-housewife have been enlarged on regular bail.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. We note there are prima facie materials connecting petitioner nos.1 & 2 i.e. parents-in-law of the victim-housewife with regard to torture over demands of dowry. Hence, we are not inclined to grant anticipatory bail to them.

Accordingly, the prayer for anticipatory bail of the accused/petitioner nos.1 & 2 namely, **(1) Haru Shasmal & (2) Rita Shasmal** is rejected.

However, keeping in mind the general and omnibus nature of allegations against the petitioner no.3 i.e. sister-in-law of the victim-

housewife and as possibility of false implication of all the in-laws cannot be wholly ruled out, we are inclined to grant anticipatory bail to her.

Accordingly, we direct that in the event of arrest, the accused/petitioner no.3 namely **(3) Puja Shasmal**, be released on bail upon furnishing 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 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. 3 shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)