

13.06.2022

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Allowed

C.R.M.(A) 2597 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Santaldih Police Station Case No. 27 dated 20.05.2022 under Sections 498A/323 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Sudip Chakraborty & Ors. petitioners

Ms. Sreeparna Das

Mr. Nahid Ahmed

.....for the petitioners

Mr. Goutam Wilson

....for the State

Learned Counsel appearing for the petitioners submits that there is delay in lodging F.I.R.

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

We have considered the materials on record. Allegation of torture requires to be assessed in the light of the aforesaid submission made on behalf of the petitioners. Injuries noted in the medical papers are simple and there is also delay in medical examination. Keeping in mind the aforesaid facts, we are of the opinion that though custodial interrogation of the petitioners may not be necessary, petitioner no. 1 requires to co-operate with investigating agency.

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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that they 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 week until further orders.

This application for anticipatory bail is, thus, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)