

13.06.2022

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Allowed

C.R.M.(A) 2620 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Dantan Police Station Case No. 211 of 2022 dated 02.06.2022 under Sections 498A/323/307/354B/406/506/509/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Falguni Patra & Ors. petitioners

Mr. Soumyajit Das Mahapatra
.....for the petitioners

Mr. S. G. Mukherjee, learned P.P.
Mrs. Debjani Sahu
....for the State

Learned Counsel appearing for the petitioners submits that there was a matrimonial dispute and petitioner no. 1 made a request for pre-litigation mediation. In retaliation, the instant case has been registered.

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

We have considered the materials on record. Allegations of torture are general and omnibus in nature. It is contended instant case is in retaliation to a notice for pre-litigation mediation. There is no medical evidence in support of the allegation of attempt to murder. In view of the aforesaid facts, 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/- 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.

This application for anticipatory bail is, thus, allowed.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)