

14.06.2022.
87.
Ct.No.28
as
(Allowed).

C.R.M. (A) 2626 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Pandabeswar P. S. Case No.152 of 2021 dated 17.11.2021 under Sections 498A/304B/34 of the Indian Penal Code read with Section 3 / 4 of the Dowry Prohibition Act.

In the matter of : Subham Badyakar & Ors.
... Petitioners.

Mr. Amajit De,
Ms. S. Rath,
Mr. Somnath Banerjee.
...for the Petitioners.

Mr. S. G. Mukherjee, Id. P.P.,
Mr. Aniket Mitra.
.....for the State.

Heard the learned Advocates appearing for the parties.

Petitioners are in-laws of the victim housewife. They have been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for anticipatory bail and submits that the victim was tortured at the matrimonial home and committed suicide within three years of marriage.

We have considered the materials on record. It appears that the principal accused i.e. husband of the victim lady had an illicit relationship with another woman which led to matrimonial discord. Keeping in mind the aforesaid fact and the extent of complicity of the petitioners in the alleged crime, we are of the opinion their custodial

interrogation is not necessary and they may be granted anticipatory bail.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners shall appear before the court below and pray for regular bail within four weeks from date.

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

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)