

19.07.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3432 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gaighata** Police Station Case No. **587** of **2022** dated **20.06.2022** under Sections 498A/406/304B/34 of the Indian Penal Code, 1860 and Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Dulal Krishna Mondal & Ors.

..... petitioners

Mr. Moloy Bhattacharya

....for the petitioners

Mr. Susnigdho Bhattacharya

....for the de-facto complainant

Mr. Bidyut Kumar Roy

Ms. Sima Biswas

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners are residing separately than the husband of the victim. The victim committed suicide at the paternal home. There was a previous police complaint under Section 498A of the Indian Penal Code, 1860. The victim was residing in the paternal home for a considerable period of time.

State and the de-facto complainant are represented.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Prima facie, it appears that the victim committed suicide.

There is a previous police complaint, inter alia, under Section 498A of the Indian Penal Code, 1860.

The petitioners are residing separately than the victim. In fact, the husband was also not residing with the petitioners herein. The first petitioner is the father-in-law, the second petitioner is the mother-in-law and the third petitioner is the married sister-in-law.

The present police complaint contains omnibus nature of allegations as against the present petitioners.

In such circumstances, we 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 further condition that the petitioner no. 1 (Dulal Krishna Mondal) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner nos. 2 (Puspa Rani Mondal) and 3 (Anjana Biswas) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners shall appear on every date 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)