

28.07.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3561 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Golabari** Police Station Case No. **257** of **2022** dated **29.06.2022** under Sections 498A/304B/306/406/34 of the Indian Penal Code read with Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Md. Sharique Ansari & Ors.

..... petitioners

Mr. Mrityunjoy Chatterjee

Md. G. N. Imrohi

....for the petitioner

Mr. Soumya Basu Roychowdhury

....for the de-facto complainant

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Aniket Mitra

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the husband and the mother-in-law of the victim are in custody. The death was due to suicide.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the neighbours recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.).

Learned advocate appearing for the de-facto complainant submits that, the petitioners reside at the same premises as that of the husband and the mother-in-law.

Considering the post mortem report of the victim and considering the nature of allegations as against the petitioner and considering the fact that the husband and the mother-in-law are in custody, 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 nos. 1 (Md. Sharique Ansari) and 3 (Md. Musa @ Musa Ansari) shall meet the Investigating Officer once a week till the conclusion of the investigation and petitioner no. 2 (Andlip Nazli @ Najlin) 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.)

