

29.07.2022

23

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3607 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **121** of **2022** dated **21.03.2022** under Sections 498A/376/511 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Md. Mosaddek @ Mussadik & Ors.

..... petitioners

Mr. Mrityunjoy Chatterjee

Md. G. N. Imrohi

Mr. S. Bhattacharya

Mr. D. Majumdar

Mr. P. Hazra

....for the petitioners

Mr. Avishek Sinha

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the husband was taken into custody. He highlights the delay in the lodgment of the First Information Report (FIR).

Learned advocate appearing for the State draws the attention of the Court to the statement of the de-facto complainant recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, 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. 2 (Marzina Bibi @ Argina Bibi), 3 (Sarbin Khatun) and 5 (Sarifan Bibi) shall cooperate with the Investigating Officer till the conclusion of the investigation and petitioner nos. 1 (Md. Mosaddek @ Mussadik), 4 (Md. Jiyaul Hoque) and 6 (Sanaullah) shall meet the Investigating Officer once a fortnight 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.)

