

29.07.2022

25

Ct. No. 29

**KAUSHIK**

Allowed

**C.R.M.(A) 3609 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. **572** of **2021** dated **18.10.2021** under Sections 498A/376/511/379 of the Indian Penal Code read with Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Bijoli Mondal & Ors.

..... petitioners

Mr. Mrityunjoy Chatterjee

Md. G. N. Imrohi

Mr. S. Bhattacharya

Mr. D. Majumdar

Mr. P. Hazra

....for the petitioners

Mr. Pravas Bhattacharya

Mr. M.F.A. Begg

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the husband is in custody. The petitioners are ladies and, therefore, the question of attempt of rape as against the petitioner does not lie.

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

Considering the nature of allegations 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 petitioners 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.)**