

31 29.07.2022
(AD)
Court No.29
(Partly
Allowed)

C.R.M. (A) 3615 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dakhineswar** Police Station Case No. **127 of 2022** dated **17/07/2022** under Sections **498A/406/307/354/34/506** of the Indian Penal Code and **3 & 4** of the Dowry Prohibition Act.

In the matter of: Priyabrata Ghosh & Ors.

....petitioners.

Mr. Sanjib Mitra

...for the petitioners.

Mr. Saswata Gopal Mukherjee, Ld. PP

Mr. Aniket Mitra

...for the State.

Petitioners pray for anticipatory bail.

Considering the fact that the police complaint was lodged within three years of marriage and considering the materials in the case diary, we are unable to grant anticipatory bail to the first petitioner, namely, Priyabrata Ghosh.

Accordingly, the prayer for anticipatory bail of the petitioner no.1, namely, Priyabrata Ghosh, is rejected.

So far as the other petitioners, that is, petitioner nos.2 to 6, namely, Angad Ghosh, Rama Ghosh, Tanushree Sen, Anushree Ghosh and Prabir Ghosh, are concerned, we grant them anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner no.2 to 6, namely, Angad Ghosh, Rama Ghosh, Tanushree Sen, Anushree Ghosh and Prabir Ghosh, shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner nos.2 and 6, namely, Angad Ghosh and Prabir Ghosh, will report before the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner nos.3,4 and 5, namely, Rama Ghosh, Tanushree Sen and Anushree Ghosh, will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner nos.2 to 6 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 petitioner nos.2 to 6 in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner no.2 to 6, namely, Angad Ghosh, Rama Ghosh, Tanushree Sen, Anushree Ghosh and Prabir Ghosh, is allowed.

C.R.M. (A) 3615 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)