

01.08.2022

19

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3642 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Thakurpukur** Police Station Case No. **124** of **2022** dated **10.05.2022** under Sections 498A/406/354/323/120B of the Indian Penal Code and under Sections 3/ 4 of the Dowry Prohibition Act and under Section 3 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

And

In Re : Shanti Bairagi

..... petitioner

Mr. Arnab Chatterjee

....for the petitioner

Ms. Kumkum Mitra

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner stands on the same footing as that of the other co-accuseds, who were granted anticipatory bail by the order dated June 15, 2022 in CRM(A) 2448 of 2022.

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

The co-accuseds were granted anticipatory bail by the Coordinate Bench on the ground, inter alia, that the co-accuseds were also members of the Scheduled Caste community.

The petitioner herein also claims to be a member of the Scheduled Caste community. The claim for parity by the

petitioner with the other co-accuseds enlarged on anticipatory bail was not disputed on behalf of the State.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioner 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 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.)

