

18.08.2022

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Ct. No. 29

KAUSHIK

Partly

Allowed

C.R.M.(A) 3944 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **935** of **2021** dated **20.12.2021** under Sections 498A/323/307/34 of the Indian Penal Code, 1860 read with Sections 3/ 4 of the Dowry Prohibition Act, 1961.

And

In Re : Tarun Mondal & Anr.

..... petitioners

Mr. Soupal Chatterjee

Ms. Sucheta Banerjee

....for the petitioners

Mr. N. P. Agarwal

Mr. Chittaranjan Ghosh

....for the State

The first petitioner is the husband.

The police complaint was lodged within three years of the marriage.

There are materials implicating the first petitioner in the case diary.

In such circumstances, we are unable to grant anticipatory bail to the petitioner no. 1 (Tarun Mondal).

Accordingly, the application for anticipatory bail is, thus, rejected so far as petitioner no. 1 is concerned.

So far as the second petitioner is concerned, considering the gravity of the offence and his involvement in the incident, we grant anticipatory bail to the petitioner no. 2 (Arun Mondal).

Accordingly, we direct that in the event of arrest the petitioner no. 2 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 no. 2 shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioner no. 2 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 no. 2 in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, partly allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

