

22.08.2022
20
Ct. No. 29
KAUSHIK
Partly
Allowed

C.R.M.(A) 3977 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Goghat** Police Station Case No. **195** of **2022** dated **20.07.2022** under Sections 498A/406 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act.

And

In Re : Rajib Mandal & Ors.

..... petitioners

Ms. Sibangee Chattopadhyay

Mr. Debraj Mallick

....for the petitioners

Mr. Debabrata Chatterjee

Ms. Debjani Dasgupta

....for the State

The police complaint was lodged within three years of marriage.

Given the nature of allegations as against the first petitioner, we are unable to grant anticipatory bail to the petitioner no. 1 (Rajib Mandal).

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

So far as the petitioner other petitioners are concerned, considering the fact that 'stridhan' articles were recovered as contended by the learned advocate appearing for the State, we grant anticipatory bail to the petitioner nos. 2 (Srikanata Mandal), 3 (Debi Mandal) and 4 (Indrajit Mandal).

Accordingly, we direct that in the event of arrest the petitioner nos. 2, 3 and 4 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 no. 3 shall cooperate the Investigating Officer till the conclusion of the investigation and petitioner nos. 2 and 4 shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioner nos. 2, 3 and 4 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, 3 and 4 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.)

