

10 24.08.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A) 4002 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sankrail** P.S. Case No.**414 of 2022** dated **17/04/2022** under Sections **498A/304B/34** of the Indian Penal Code and Sections **3/4** of the Dowry Prohibition Act.

And

In the matter of: Mintu Bachar & Anr.

....petitioners.

Mr. Dev Kumar Sharma

...for the petitioners.

Mr. Saswata Gopal Mukherjee, Ld. PP

Mr. Partha Pratim Das

Ms. Eshita Dutta

...for the State.

The husband was arrested and enlarged on bail by the jurisdictional Court at a stage when the provision of Section 302 of the Indian Penal Code was not added to the First Information Report.

The in-laws seek anticipatory bail.

Apparently, the allegations are primarily against the husband. The husband was last seen together with the victim. The petitioners herein stand in a different footing than the husband.

In such circumstances, 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/- (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 further condition that the petitioner no.1 will report before the Investigating Officer once a week till the conclusion of the investigation and petitioner no.2 will cooperate with the investigation 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 4002 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)