

27 31.08.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 4167 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ramnagar** P.S. Case No.**187 of 2022** dated **09/05/2022** under Sections **498A/304B/506/34** of the Indian Penal Code and Sections **3/4** of the Dowry Prohibition Act. (G.R. Case No.926 of 2022).

And

In the matter of: Swapan Kumar Maity & Anr.

....petitioners.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

...for the petitioners.

Mr. Bidyut Kumar Roy
Ms. Rita Datta

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the husband was enlarged on bail by the jurisdictional Court. The victim committed suicide.

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

The husband was released on bail by the jurisdictional Court. The post-mortem report of the victim suggests that the death of the victim was by hanging ante-mortem in nature.

Considering the fact that the husband was enlarged on bail by the jurisdictional Court and considering the post-mortem report of the victim, 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 month 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) 4167 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)