

07.09.2022
Serial no.20
Aloke

CRM (A) 4294 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Haridevpur Police Station Case No. 216 of 2022 dated 09.08.2022 under Section 498A/307/406/506/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

-And-

In the matter of : **Prabasi Chakraborty @ Chakraborty**

... .. Petitioner

Mr. Sagar Saha, Advocate

... .. For the Petitioner

Mr. S.G. Muikherjee, Id. PP

Ms. Faria Hossain, Advocate

Mr. Anand Keshari, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner is the mother-in-law. The husband of the de facto complainant was arrested and he is in custody.

Learned Advocate appearing for the State draws the attention to the injury report of the de facto complainant as also the statement of the daughter of the de facto complainant recorded under Section 164 of the Code of Criminal Procedure. The case diary contains the statement of the de facto complainant recorded under Section 164 of the Code of Criminal Procedure.

Considering the two statements recorded under Section 164 of the Code of Criminal Procedure recorded by the daughter of the de facto complainant and by the de facto complainant which apparently shows that the present petitioner is standing on a different footing than the husband and considering the materials in the case diary, we are inclined to 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/- (Rupees Ten Thousand Only), 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 condition that the petitioner shall cooperate with the investigation till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 4294 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)