

30.09.2022

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C.R.M. (A) No. 4613 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Anandapur Police Station Case No. 58 of 2022 dated 04.04.2022 under Sections 498A/302/304B/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

And

In Re : **Khokanchandra Nayek & Anr.** petitioners

Mr. Soumyajit Das Mahapatra

.....for the petitioners

Mr. Saswata Gopal Mukherjee

Mr. Partha Pratim Das

Ms. Manasi Roy

....for the State

Petitioners are the in-laws of the victim housewife.

It is contended that they do not reside at the matrimonial home. The husband and the parents-in-law of the victim housewife are on regular bail.

Learned Counsel appearing for the State submits that the petitioners and other in-laws tortured the victim housewife which resulted in her unnatural death within one year of marriage.

We have considered the materials on record. Allegations of torture by the petitioners require to be assessed in the light of the aforesaid submission made by the petitioners that they do not reside at the matrimonial home of the victim.

Keeping in mind the aforesaid fact and as the investigation is complete, we are inclined to 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 on further conditions that the petitioners shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)