

29.09.2022.

25.

AD/KC

(Allowed).

C.R.M. (A) 4701 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Egra P. S.** Case No.**395 of 2022** dated **04.06.2022** under Sections **498A/304B/34** of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

In the matter of : Manas Garu & Ors.

... Petitioners.

Mr. Amal Krishna Samanta

...for the Petitioners.

Mr. Tanmay Kumar Ghosh

Ms. Pritha Paul

.....for the State.

Petitioners are the in-laws of the victim housewife.

It is contended that they do not reside in the matrimonial home of the said victim. Incident occurred three years after marriage.

Learned lawyer of the State opposes the payer for anticipatory bail.

We have considered the materials on record. Petitioners are the in-laws of the victim housewife and did not ordinarily reside at the matrimonial home of the said housewife. Allegation of torture upon the housewife requires to be assessed in the light of the aforesaid circumstance. Keeping in mind the aforesaid fact and the extent of complicity of the petitioners in the crime, 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/- each with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)