

24.11.2022
Serial no.45
Aloke

CRM (A) 5445 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kasba Police Station Case No. 325 of 2022 dated 14.10.2022 under Sections 498(A)/376/506/34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act.

-And-

In the matter of : **Chiranjit Dhamali & Anr.**

... .. Petitioners

Mr. Sabir Ahmed, Advocate
Mr. Indrajit Chatterjee, Advocate
Mr. Debashis Mondal, Advocate

... .. For the Petitioners

Mr. Shiladity Banerjee, Advocate

... ..For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated. The police complaint was lodged due to disputes between the two sons with regard to the allotment of shops.

Learned Advocate appearing for the State draws the attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. He draws the attention of the Court to the statement of the neighbours recorded under Section 161 of the Code of Criminal Procedure.

The statement of the neighbours recorded under Section 161 of the Code of Criminal Procedure exonerates both the petitioners.

In such circumstances, 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 and on condition

that the petitioners will report before the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 5445 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)