

07.01.2022  
Item no.17.  
Court No.1.  
S. De  
**(Allowed)**

**CIRCUIT BENCH OF CALCUTTA HIGH COURT  
AT JALPAIGURI  
(Via Video Conference)**

**CRM (A) No. 13 of 2022**

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Raiganj Police Station Case No.527 of 2021 Dated 26.11.2021 under Sections 498A/325/307/34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act.

And

**In the matter of: Rejjak Hossain @ Rezzak Hossain & Ors.**

**.....Petitioners.**

Mr. Debasish Mukhopadhyay .....for the Petitioners.

Mr. Kollol Acharjee  
Mr. Tapan Bhattacharjee, .....for the State.

The allegation is under Sections 498A/325/307/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

The petitioner no.1 is the husband and petitioner nos. 2 and 3 are the parents-in-law of the victim/defacto complainant. They say that the complaint is false. They never tortured the victim. They are prepared to fully co-operate with the Investigating Officer.

We have seen the material in the case diary. Surprisingly, no statement of the victim seems to have been recorded under Section 161 or Section 164 of the Code of Criminal Procedure. The Injury Report does not indicate any

serious injury. The parents and the brother of the victim in their statements have made general allegations against the petitioners.

The State opposes the prayer for anticipatory bail.

On an overall assessment of the facts and circumstances of the case and the possible extent of complicity of the petitioners in the alleged offence, we are of the view that immediate custodial interrogation of the petitioners may not be necessary so long as they co-operate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely Rejjak Hossain @ Rezzak Hossain, Renu Nechha @ Renu Necha and Taijul Haque @ Tahijul shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that the petitioner nos. 1 and 3 shall report to the Investigating Officer once in a fortnight until completion of investigation. The petitioners shall also meet the Investigating Officer as and when called upon to do so.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail is, thus, allowed.

C.R.M. (A) 13 of 2022 is disposed of.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**(Aniruddha Roy, J.)**

**(Arijit Banerjee, J.)**