

13.03.2023

41

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 973 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chapra** Police Station Case No. **34** of **2023** dated **12.01.2023** under Sections 498A/306/34 of the Indian Penal Code.

And

In Re : Nirpal Biswas @ Nirmal Biswas & Anr.

..... petitioners

Ms. Karabi Roy

....for the petitioners

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Imran Ali

Ms. Debjani Sahu

....for the State

The police complaint was lodged after seven years of marriage.

The death occurred, apparently, after seven years of marriage.

The statement of the neighbours recorded under Section 161 of the Code of Criminal Procedure, apparently, does not implicate the petitioners in demanding dowry and that demand of dowry led to the death.

In such circumstances, we 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner no. 1 (Nirpal Biswas @ Nirmal Biswas) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner no. 2 (Sabita Biswas) shall cooperate with the Investigating Officer till the conclusion of the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)