

13.03.2023

Sl.55

Court No.29

(AD)

(Allowed)

C.R.M. (A) 987 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection **Shyampur** Police Station vide First Information Report Case No. **473 of 2022** dated **21.10.2022** under Sections **498A/304(B)/302/34** of the Indian Penal Code read with Sections **3/4** of D.P. Act culminating into charge sheet for the offence punishable under Sections **498A/304(B)/306/34** of the Indian Penal Code.

And

In the matter of: **Mrinmoy Samanta**

....petitioner.

Ms. Devi Priya Mitra

Ms. Jui Datta Chakraborty

...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. PP

Mr. Partha Pratim Das

Ms. Eshita Dutta

...for the State.

Petitioner prays for anticipatory bail.

Our attention was drawn to the statement of the father of the victim recorded under Section 161 of the Code of Criminal Procedure as also the statement of a neighbour recorded under such provision.

Apparently, both the persons did not allege that, the victim was tortured on failure to pay the dowry demanded.

The husband was enlarged on bail by the jurisdictional Court.

The police filed charge sheet.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each to the satisfaction of the Arresting Officer and also

subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 987 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)