

22.03.2023

Serial no. 28

[Dd]

(Anticipatory Bail)

(**Partly Allowed**)

CRM (A) 1178 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Chandipur** Police Station Case No. **369** of **2022** dated **October 13, 2022** under Sections **498A/ 323/ 325/ 313/ 354D/506/34** of the IPC and Sections **3** and **4** of Dowry Prohibition Act.

-And-

In the matter of : **Sri Srikanta Panda & Ors.**

... .. Petitioners

Mr. Aniket Mitra,

Mr. Rajib Acharyya, Advocate

... .. For the Petitioners

Mr. Angsuman Chakraborty, Advocates

... ..For the State

The statement of the de facto complainant recorded under Section 164 of the Criminal Procedure Code implicates her husband, her elder sister-in-law, being the petitioner no. 3 here and her mother-in-law.

Considering the statement of the de facto complainant recorded under Section 164 of the Criminal Procedure Code and the involvement of the petitioners in the incident, we are unable to grant anticipatory bail to petitioner no. 3 (Smt. Soma Panda).

So far as the other petitioners are concerned, we are inclined to grant anticipatory bail to them, i.e., the petitioner no. 1 (Sri Srikanta Panda), petitioner no. 2 (Sri Krishnakanta Panda) and petitioner no. 4 (Smt. Purnima Panda).

Accordingly, we direct that in the event of arrest the petitioner no. 1 (Sri Srikanta Panda), petitioner no. 2 (Sri

Krishnakanta Panda) and petitioner no. 4 (Smt. Purnima Panda) 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 further condition that the petitioner nos. 1 and 2 shall report before the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 4 shall cooperate with the investigation till its completion and on further condition that the petitioner nos. 1, 2 and 4 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 nos. 1, 2 and 4 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayers for anticipatory bail of the petitioner no. 1, 2 and 4 are **allowed**.

Prayer for anticipatory bail of the petitioner no. 3 is **rejected**.

CRM (A) 1178 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)