

20.04.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1677 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pukhuria** Police Station Case No. **383** of **2022** dated **06.09.2022** under Sections **498A/376/511/307/34** of the Indian Penal Code, 1860 read with Sections **3** and **4** of the Dowry Prohibition Act.

And

In the matter of: Saleman & anr.

..... petitioners

Mr. Atarul Hoque Molla,
Ms. Riya Das

....for the petitioners

Mr. Sudip Kumar

....for the State

CRM (A) 1677 of 2023 is dismissed as infructuous so far as the first petitioner, namely, Saleman is concerned in view of his arrest.

So far as the second petitioner is concerned, the Court is informed that police filed charge-sheet.

There is a statement recorded under Section 164 of the Criminal Procedure Code of the de facto complainant.

The claim apparently at this stage remains uncorroborated by the medical evidence.

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

Accordingly, we direct that in the event of arrest the petitioner no.2, namely, Esrail shall be released on bail upon

furnishing a bond of Rs.10,000/-, 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 not 2, Esrail will 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)