

21.06.2023
(D/L 186)
Ct. No.29
Allowed
(SKB)

CRM (A) 2321 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Suti Police Station Case No. 226 of 2023 dated 02.05.2023 under Sections 498A/313/34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act.

In the matter of : Ahammad Sk @ Ahammed Sk and ors.
... Petitioners

Mr. Apalak Basu,
Mr. Nazir Ahmed,
Ms. Snehal Seth

... for the petitioners

Mr. Bidyut Kumar Roy,
Miss Rita Datta

... for the State

1. Heard the learned Counsel for the parties.
2. Petitioners are husband and members of the family of in-laws of the victim wife.
3. Considering the materials placed by learned counsel for the parties, we do not find any prima facie offence under Section 313 of the IPC from the statement of the witnesses including that of victim and her medical examination report.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, substantial progress in the investigation and the fact that there is always a hope of compromise in matrimonial dispute and such compromise is always for the interest of the family

and society, it is directed that the petitioners shall be released on bail in the event of their arrest by the Arresting Officer on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Suti Police Station Case No. 226 of 2023 dated 02.05.2023 including the conditions that i) the petitioners shall appear before the I.O. for the purpose of investigation once in a fortnight on the day and time fixed by the I.O. ii) The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

5. Within 21 days from today the petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM(A) 2321 of 2023 is disposed of.
8. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)