

25.07.2023
(D/L 46)
Ct. No.29
Allowed
(SKB)

CRM (A) 2670 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Nandigram P.S. Case No.522 of 2023 dated 09.04.2023 under Sections 498A/304B/302/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

In the matter of : Kakoli @ Kakali Das and others
... Petitioners

Mr. Dhananjoy Banerjee,
Ms. Naquiba Tasheen
... for the petitioners

Mr. Saswata Gopal Mukerji, ld. PP
Ms. Faria Hossain,
Mr. Anand Keshari
... for the State

1. Heard the learned Counsel for the parties.
2. The petitioners are members of the family of the in-laws of the deceased against whom there is omnibus allegation of torture and harassment for fulfilment of demand of additional dowry. Husband is stated to be absconding till date.
3. Learned P.P. is vehement on the point that if the present petitioners are granted anticipatory bail, the husband may seek anticipatory bail on the ground of parity.
4. We do not want to comment on this submission but IO is free to take active steps as the husband is stated to be absconding, if the IO is so advised.

5. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that each of the petitioner being a lady is directed to appear before the IO for the purpose of investigation as and when required from sunrise to sunset.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
8. The application being CRM(A) 2670 of 2023 is disposed of.
9. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)