

18.09.2023
ML. 96
Court No. 29
NKB

C.R.M. (A) 3703 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gaighata** Police Station Case No. **196** of **2022** dated **06.03.2022** under Section 498A/406/417/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act and Sections 3(X)/3(XI) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989.

And

In the matter of: **Bulti Saha & Anr.**

....petitioners.

Mr. Angshuman Chakraborty

...for the petitioners.

Mr. Joydeep Roy
Ms. Sujata Das

...for the State.

1. Heard learned Counsel for the parties.
2. The co-accused persons are stated to be released on anticipatory bail by order dated 22.06.2022 passed in CRM(A) 2305 of 2022 on the ground that the alleged incident under the act did not take place at a public place and therefore, there are justifiable doubts as to whether the act in question stands attracted or not.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, ground of parity and substantial progress in investigation, it is directed that the petitioners 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.

4. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3703 of 2023** is disposed of.
7. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

