

09.10.2023
Sl. No.9
[ALLOWED]
as

C. R. M. (A) 4432 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Golabari Police Station Case No. 114 of 2023 dated 24.04.2023 under Sections 498A/406 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

In Re: ***Harsh Vardhan Goyal & Ors.***

... .. Petitioners

Mr. Somopriyo Chowdhury,
Mr. Dipayan Dan.

... .. for the petitioners

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Arijit Ganguli,
Mr. Arani Bhattacharyya.

... .. for the State

1. Petitioners submit petitioner no.1 is the husband and petitioner Nos.2 and 3 are the parents-in-law of the victim housewife. It is submitted they have co-operated with the investigation. They pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits petitioners did not respond to notice under 41 of the Code of Criminal Procedure.
3. We have considered the materials on record. De-facto complainant's wife is residing separately since 2020. Suit for restitution of conjugal rights was filed and subsequently the instant criminal case was registered.
4. Under such circumstances, we are of the opinion though custodial interrogation of the petitioners for progress of investigation is not necessary but petitioners require to co-operate with the investigation in accordance with law.

5. Accordingly, we direct that in the event of arrest, the petitioners 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and they shall appear before the court below and pray for regular bail within four weeks from date and on further condition that the petitioner No.1 shall meet the Investigating Officer once in a month until further orders.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)