

03.01.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 6057 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection **Belda** Police Station Case No. **430** of **2022** dated **25.09.2022** under Sections 498A/323/376(2)(f)/506/34 of the Indian Penal Code, 1860 and Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Durgapada Dey & Ors.

..... petitioners

Mr. Debasis Kundu

....for the petitioners

Mr. Saibal Bapuli

Mr. Arijit Ganguly

Mr. Avik Ghatak

....for the State

The statement of the de-facto complainant recorded under Section 164 of the Code of Criminal Procedure are omnibus and general in nature so far as the three petitioners before us are concerned. However, there are grave allegations against the other persons.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 no. 1 (Durgapada Dey) shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and the petitioner nos. 2 (Kalpana Dey) and 3 (Rupali Dey) shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioners shall 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 petitioners 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.)