

25.01.2024

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Ct. No. 29
S.D.
P. Allowed

C.R.M.(A) 136 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Andal** Police Station Case No. **284 of 2023** dated **03.08.2023** under Sections 498A/323/307/406/34 of the Indian penal Code reading with Sections 3/4 of the Dowry Prohibition Act.

And

In Re: Sunil Kumar Sinha & Ors.

..... petitioners

Mr. Kunal Ganguly

....for the petitioners

Ms. Debjani Sahu

...for the State

C.R.M. (A) 136 of 2024 is dismissed as infructuous so far as the petitioner no. 1 is concerned since he surrendered before the Jurisdictional Court. Some of the co-accused are on anticipatory bail.

Petitioner nos. 2 and 3 before us are the parents-in-law of the defacto-complainant. Petitioner no. 1 as the husband of the defacto-complainant instituted proceeding under Section 9 of the Hindu Marriage Act and thereafter the present police complaint was lodged.

Statement recorded under Section 161 of the Cr.P.C. with regard to pouring of kerosene oil is not corroborated by any other evidence at this stage.

Consequently, we grant anticipatory bail to the petitioner nos. 2 and 3.

Accordingly, we direct that in the event of arrest, the petitioner no. 2, **Ajay Lal @ Ajay Prasad Lal** and the petitioner no. 3, **Veena Devi @ Beena Devi** 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. The petitioner no. 2 will report before the Investigating Officer once a month till the conclusion of the investigation and the petitioner no. 3 will cooperate with the Investigating Officer till the conclusion of the investigation. The petitioner nos. 2 and 3 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 petitioner nos. 2 and 3 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.)

