

25.01.2024

34
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 193 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliyaganj** Police Station Vide First Information Report Case Case No. **421 of 2023** dated **09.10.2023** under Sections 498A/323/307/313/354/34 of the Indian Penal Code read with Section 3/4 of Dowry Prohibition Act.

And

In Re: Majeda Khatun & Anr.

..... petitioners

Ms. Devipriya Mitra

Ms. Juin Dutta Chakraborty

....for the petitioners

Mr. Manoranjan Mahata

...for the State

Husband was granted bail by the Jurisdictional Court.

One co-accused was granted anticipatory bail by the Jurisdictional Court.

Materials in the case diary do not suggest requirement of custodial interrogation of the petitioners before us who are in-laws of the defacto-complainant.

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. The petitioner no. 2 will report

before the Investigating Officer once a month till the conclusion of the investigation and the petitioner no. 1 will cooperate with the investigation till the conclusion of the investigation. The petitioners will 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.)