

22.05.2024

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Ct. No. 03

S.D.

Allowed

C.R.M.(A) 1235 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bidhannagar Women** Police Station Case No. **05** of **2024** dated **17.02.2024** under Sections **498A, 307, 34** of the Indian Penal Code, 1860 read with Section **3** and **4** of the Dowry Prohibition Act, 1961.

And

In the matter of: **Ratan Kumar Das & Ors.**

.....petitioners

Mr. Kaushik Gupta

Mr. Subir Banerjee

Mr. D. Sen

Mr. Abhilash Sinha Roy

...for the petitioners

Mr. Bitasok Banerjee

Ms. Sima Biswas

.... For the State

Mr. Mayukh Mukherjee

Mr. Koustav Lal Mukherjee

...for the defacto complainant

Petitioners pray for anticipatory bail.

Husband was granted anticipatory bail by the Jurisdictional Court.

Materials in the case diary does not suggest requirement of placing the present petitioners in custody at this stage.

It is contended on behalf of the defacto complainant that the petitioners filed a writ petition.

Such writ petition is yet to be disposed of. No interim order was passed in such writ petition.

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. 1 will report before the Investigating Officer once a week till the conclusion of the investigation and the petitioner nos. 2 and 3 will cooperate with the investigation till the conclusion of the investigation. 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.)

