

15.04.2024

50
S.D./A.D.
Allowed

C.R.M. (A) No. 1284 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Titagarh Police Station Case No. 77 of 2024 dated 24.02.2024 under Sections 498A/307/354A/34 of the Indian Penal Code and Section 4 of Dowry Prohibition Act pending before the learned Additional Chief Judicial Magistrate, Barrackpore, North 24 Parganas.

And

In Re : Birendra Kumar Upadhyay & Ors. petitioners

Mr. Rajendra Banerjee
....for the petitioners

Mr. Arani Bhattacharyya
....for the State

1. Petitioners submit they are the in-laws of the victim lady and they have been falsely implicated. They pray for anticipatory bail.
2. Learned Lawyer for the State opposes the prayer for anticipatory bail.
3. Allegation of attempt to suffocate the victim with a pillow is levelled against the husband. Allegation of outraging modesty by petitioner no. 1 father-in-law is bereft of material particulars with regard to date and time.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.
5. 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 condition they shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)