

16.05.2024
SL No.7
Court No.8
(gc)
(Allowed)

CRM (A) 1667 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Dakshineswar Police Station Case No.55 of 2024 dated 16.04.2024 under Section 498A of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

And

In the matter of : **Samrat Dutta & Ors.**

- Petitioners.

Mr. Subhendu Bhattacharjee,
Ms. Joyeeta Adhikary,
Ms. Priyanka Chunari

... For the Petitioners.

Mr. Sujoy Sarkar

... For the State.

1. The petitioner No.1 is the husband, the petitioner Nos.2 and 3 are the father-in-law and mother-in-law of the de-facto complainant. It is submitted that the petitioners have been falsely implicated.
2. The learned Counsel for the State while opposing the prayer for anticipatory bail has fairly submitted that the petitioners have complied with the notice under Section 41A of the Cr.P.C. and have cooperated with the investigation.
3. Considering the materials available in the case dairy and the nature of involvement of the petitioners in the

commission of the alleged offence and having regard to the fact that the petitioners have cooperated with the investigation, we are of the view that the custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Samrat Dutta**, **Banibrata Dutta** and **Nita Dutta**, be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the petitioners Nos.1 and 2 shall meet the Investigating Officer of this case once in a week and shall not leave the territorial jurisdiction of the learned Trial Court unless such permission is given by the Trial Court till submission of the final report.
5. The application for anticipatory bail is, thus, disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)