

08.07.2024
SL No.25
Court No.29
(gc)
(Allowed)

CRM (A) 2207 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Panchla Police Station Case No.195 of 2024 dated 16.06.2024 under Sections 498A/406/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In the matter of : **Tanmoy Saha & Ors.**

- Petitioners.

Mr. Kishore Mukherjee,
Mr. A. Dey,
Ms. Suman Biswas

....For the Petitioners.

Mr. Binoy Kumar Panda,
Mr. Debanshu Ghorai

... 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 and the petitioner nos.4 to 8 are the relations of the petitioner no.1. They have applied for anticipatory bail based on a complaint lodged by the de facto complainant on physical and mental torture at the matrimonial house.
2. We have heard the learned Counsel for the parties.
3. A suit for divorce has been filed by the petitioner no.1 presumably due to extra-marital relationship of the de facto complainant for which she was arrested and subsequently released in connection with P.S. Case No.77/2023 dated 3rd April, 2023 registered under Sections 306/34 of the Indian Penal Code.

4. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and the petitioners have complied with the notice under Section 41A of the Cr.P.C., we are of the view that the custodial interrogation of the petitioners is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Tanmoy Saha, Sukdeb Saha, Nilima Saha, Joyasree Das Saha, Nabadwip Das, Tanusree Golui, Sumilan Golui** and **Chiranjib Kumar Saha @ Laltu** shall 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 petitioner nos.1, 2, 5, 7 and 8 shall meet the Investigating Officer once in a week till the submission of the final report and the petitioner nos.3, 4 and 6 shall cooperate with the investigation. It is also directed that the petitioners shall appear before the learned Chief Judicial Magistrate, Howrah in connection with G.R. Case No.2970 of 2024 and pray for regular bail within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)