

Court No. 29
(266041)

CRM (A) 2334 of 2024

02.08.2024

(AD 25)

(S. Banerjee)

(Allowed)

In re: ^e An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Beniapukur Police Station Case No. 83 of 2024 dated 04.05.2024 under Sections 498(A)/406/34 of the Indian Penal Code, read with Sections 3 and 4 of Dowry Prohibition Act, 1961, pending before the learned Chief Judicial Magistrate, Sealdah.

And

In the matter of: **Salma Khatoon**

...petitioner

Mr. Subrata Ghosh
Mr. Sayantan Hazra

... for the petitioner

Mr. Avishek Sinha
Ms. Nandini Chatterjee

... for the State

1. Learned counsel for the petitioner submits that pursuant to earlier notice, the investigating officer has examined the petitioner under Section 41A Cr.P.C.
2. Learned counsel for the State has produced the case diary and the report from the Sub-Inspector of the concerned police station showing compliance. Such report is taken on record.
3. Considering the materials available in the case diary and the nature and extent of involvement of the petitioner in the commission of the alleged offence and having regard to the fact that the victim is on her family way and has cooperated with the investigation, we are of the view that custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner (Salma Khatoon) shall be released on bail upon furnishing a bond of Rs. 5,000/- with two sureties of like amount, one of whom shall be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.
5. The petitioner shall cooperate with the investigation.
6. Accordingly, the application for anticipatory bail is allowed.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Uday Kumar, J.)

(Soumen Sen, J.)