

15.07.2024

Court No.29

Item No. 43

**Partly
Allowed**

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CRM (A) 2392 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sankrail Police Station Case No. 73 of 2024 dated 28.01.2024 under Sections 498A/304B of the Indian Penal Code read with Sections 3/4 of the D.P Act.

And

In Re: **Ananda Ghosh & Ors.**

Petitioners

Ms. Susmita Ghosh
Mr. Parashar Baidya
Mr. Souvik Das

For the Petitioners

Ms. Sonali Das
Mr. Jisan Iqbal Hossain

For the State

1. Heard the learned counsel for the parties.
2. We have perused the case diary.
3. Considering the statement of the sister of the de-facto complainant directly implicating the **petitioner no. 2, Champa Ghosh and the petitioner no. 3, Tanushree Patra @ Durga Patra** for torturing the victim for dowry, we are of the view that custodial interrogation of the **petitioner no. 2, Champa Ghosh and the petitioner no. 3, Tanushree Patra @ Durga Patra** is necessary. However, considering the nature of involvement of the petitioner no. 1 in the commission of the alleged offence and having regard to the fact that charge-sheet has already been filed, we are of the view that the custodial interrogation of the **petitioner no. 1, Ananda Ghosh** is not necessary.

4. Accordingly, we direct that in the event of arrest, the **petitioner no. 1, Ananda Ghosh** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the **petitioner no. 1** shall appear before the learned Chief Judicial Magistrate, at Howrah corresponding to Sankrail Police Station Case No. 73 of 2024 within two weeks from date and the **petitioner no. 1** shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the **petitioner no. 1** shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the **petitioner no. 1** is allowed, however, the prayer for anticipatory bail of the **petitioner nos. 2 and 3** stands rejected and the application is accordingly 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)

