

12.08.2024
Sl No.27
Court No. 29
TN
(Allowed)

CRM (A) 2740 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Pandaveswar Police Station Case No.68 dated 15.05.2024 under Sections 498A/306/406/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In the matter of : **Yasin Sekh and others**

.... petitioners

Mr. Amajit De,
Ms. Shakshi Rathi

....for the petitioners

Mr. Ashok Das

... for the State

1. The learned counsel for the petitioners submits that the petitioner nos.1 and 2 are the parents-in-law of the victim and the petitioner nos.3 and 4 are the brother-in-law and sister-in-law of the victim. It is submitted that they have been falsely implicated.
2. The learned counsel for the State has produced the case diary and the statement of the neighbours recorded under Section 161 of the Code of Criminal Procedure.
3. Considering the materials available in the case diary and the nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the fact that no specific overt act has been attributed to the petitioners, we are of the view that custodial interrogation of the petitioners is not necessary. Moreover, the husband of the

deceased has been recently enlarged on bail after taking into consideration the substantial progress in the investigation.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Yasin Sekh, Hurjan Bibi Sekh, Sekh Annarul and Chamela Bibi** respectively 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, corresponding to Section 482(2) of the BNSS, 2023.
5. The petitioner nos.1 and 3 shall meet the Investigating Officer once in a fortnight till submission of the final report. The petitioner nos. 2 and 4 shall cooperate with the investigation.
6. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Durgapur within two weeks from date and pray for regular bail.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)