

12.08.2024
Sl No.69
Court No. 29
TN
(Allowed)

CRM (A) 2782 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 Bagnan Police Station Case No.200 of 2024 dated 12.04.2024 under Sections 498A/304B/34 of the Indian Penal Code, 1860 and read with Section 4 of the Dowry Prohibition Act, 1961.

And

In the matter of : **Sk Saiful @ Sk. Saiful Ali**

.... petitioner

Mr. Shraman Sarkar,
Mr. Ishan Sen

....for the petitioner

Mr. Anand Keshri,
Mr. Dipankar Paramanick

... for the State

1. The learned counsel for the petitioner submits that the petitioner is the brother-in-law of the deceased and he has been falsely implicated.
2. The learned counsel for the State has produced the case diary and opposed the prayer for anticipatory bail.
3. Considering the materials available in the case diary and having regard to the nature and extent of complicity of the petitioner in the commission of the alleged offence and also having regard to the statement of the neighbours in which specific allegation has been made against the husband of the victim as the immediate cause for the victim committing suicide and that charge sheet has already been filed, 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, namely, **Sk Saiful @ Sk. Saiful Ali** 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, 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. It is further directed that the present accused petitioner shall appear before the learned Additional Chief Judicial Magistrate, Uluberia, Howrah within two weeks from date and pray for regular bail.
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.)