

04.09.2024
SL No.14
Court No.29
(gc)
(Allowed)

CRM (A) 3060 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kharagpur Local Police Station Case No.537 of 2024 dated 02.07.2024 under Sections 498A/323/325/307/313/34 of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act, 1961.

And

In the matter of : **Amit Dhauria & Ors.**

- Petitioners.

Mr. Amanul Islam,
Mr. Sourav Mukherjee,
....For the Petitioners.

Mr. Joydeep Roy,
Ms. Trisha Rakshit
... For the State.

1. The learned Counsel for the petitioners submits that the petitioner no.1 is the husband, petitioner no.2 is the father-in-law, petitioner no.3 is the mother-in-law and petitioner nos.4 to 7 are the in-laws family members of the complainant. It is submitted that they have been falsely implicated.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the medical and injury report as also the statement of the injured.
3. 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 nature of injury which appears to be simple, we are of the view that custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Amit Dhauria, Khagen Dhauria, Madhabi Dhauria, Bimal Kumar Dey, Dhananjay Jana, Uttam Dingal** and **Jayanti Hui**, shall be released on bail upon furnishing a bond of Rs.5,000/- 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 and on further condition that the petitioner nos.1, 2, 4, 5 and 6 shall meet the I.O. once in a fortnight till the submission of the final report and the petitioner nos.3 and 7 shall cooperate with the investigation.
5. It is further directed that the petitioners shall appear before the learned Chief Judicial Magistrate at Paschim Medinipur in connection with G.R. Case No.1835 of 2024 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.)

(Shampa Dutt (Paul), J.)