

11.09.2024
SL No.46
Court No.29
(gc)
(Allowed)

CRM (A) 3252 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 Ahmerst Street Women Police Station Case No.1 of 2024 dated 28.02.2024 under Sections 498A/313/406/354/354A/509/506/34 of the Indian Penal Code and 3 & 4 of Dowry Prohibition Act.

And

In the matter of : **Rajesh Kumar Gupta & Anr.**

- Petitioners.

Mr. Dhruv Surana

....For the Petitioners.

Mr. Sudip Kumar,

Ms. Nandini Chatterjee

... For the State.

Mr. Arindam Jana,

Mr. Zohaib Rauf,

Mr. Sumitava Chakraborty,

Mr. Younus Sultan

....For the De facto Complainant.

1. Heard the learned Counsel for the parties.
2. Considering the materials available in the case diary and the nature of allegation levelled against the present petitioners, who are the uncle and aunt-in-law and keeping in mind that the husband of the principal accused who is presently in custody and there has been a family dispute between the parties and in that background if the statement of the victim is assessed, we are of the view that custodial interrogation of the petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Rajesh Kumar Gupta** and **Sonu Gupta**, 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 and on further condition that the petitioner no.1 shall meet the I.O. once in a week and the petitioner no.2 shall cooperate with the investigation till the submission of the final report.

4. It is further directed that the petitioners shall appear before the learned Chief Judicial Magistrate-II at Calcutta in connection with G.R. (NS) Case No.120 of 2024 within two weeks from date.
5. Accordingly, the application for anticipatory bail is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Prasenjit Biswas, J.)