

24 02.01.2024
(AD)
Court No.29
(Allowed)

C.R.M. (A) 4229 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with G.R. Case No.733 of 2023 arising out of **Coke Oven** P.S. Case No.**62 of 2023** dated **24/04/2023** under Sections **498A/306/120B** of the Indian Penal Code, 1860, read with Sections **3/4** of the Dowry Prohibition Act.

And

In the matter of: **Arvind Singh @ Arbind & Ors.**

....petitioners.

Mr. Avik Ghatak
Mr. Fahad Imam

...for the petitioners.

Mr. Bidyut Kumar Roy
Ms. Rita Dutta

...for the State.

The petition is taken up for consideration subsequent to the order dated October 16, 2023.

By such order, the petitioners were enlarged on interim anticipatory bail by the Coordinate Bench.

It is submitted at the bar that such order was passed without considering the materials in the case diary in view of the ensuing puja vacation.

We considered the materials in the case diary.

We find that the husband and mother-in-law of the victim were granted bail by the jurisdictional Court.

The petitioners before us are the father-in-law, two brothers-in-law and the sister-in-law of the victim.

The post-mortem report of the victim suggests that the victim committed suicide.

The issue as to the nature and incident of the abetment, if any by any of the petitioners before us, is an issue which would

be decided at the trial. Likewise allegations of demand for dowry are required to be tried.

In such circumstances, we confirm the interim anticipatory bail granted to the petitioners on October 16, 2023.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each 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 and on further condition that the petitioner nos.1,2 & 4 will report before the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner no.3 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 4229 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)