

87 03.01.2024
(AD)
Court No.29
(Allowed)

C.R.M. (A) 4404 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gazole** P.S. Case No.**560 of 2023** dated **15/07/2023** corresponding to G.R. Case No.4562/23 under Sections **498A/306** of the Indian Penal Code, 1860, read with **3/4** of the Dowry Prohibition Act.

And

In the matter of: **Atul Chowdhury & Anr.**

....petitioners.

Mr. Kazi M. Rahman

...for the petitioners.

Mr. Partha Pratim Das
Ms. Eshita 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.

The petitioners before us are the in-laws of the victim. Husband of the victim was granted bail by the jurisdictional Court. Police are yet to submit the charge sheet.

The allegations as against the present petitioners are apparently *omnibus* and *general* in nature.

In such circumstances, we confirm the interim anticipatory bail dated 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 no.1 will report before the Investigating Officer once a month till the conclusion of the investigation and petitioner no.2 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) 4404 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)