

04.11.2024
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[ALLOWED]

C. R. M. (A) 3730 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure in connection with Chandrakona Police Station Case No. 181 of 2024 dated 18.06.2024 under Sections 498A/304B/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

In Re: Ashoke Samanta @ Ashok Kumar Samanta & Ors.
... .. Petitioners

Mr. Malay Bhattacharya,
Mr. Madan Mohan Roy.
... .. for the petitioners

Mr. Binoy Kr. Panda,
Mr. Kaustav Banerjee.
... .. for the State

1. Petitioners are the in-laws of the deceased housewife. It is contended the dispute broke out between deceased and her husband over an illicit relationship of the husband. Husband of the deceased has been enlarged on regular bail. Petitioners pray for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. Statements of independent witnesses primarily implicate the husband in the torture. Husband of the deceased is on regular bail.

4. In view of extent of complicity of the petitioners in the crime, we are inclined to grant anticipatory bail to petitioner.

5. Accordingly, we direct that in the event of arrest, the petitioners viz., 1) Ashoke Samanta @ Ashok Kumar Samanta, 2) Banshi Samanta and 3) Asima Samanta be released on bail upon

furnishing a bond of Rs.10,000/- 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 482(2) of the BNSS. They shall appear before the court below and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)