

20.11.2024
Sl. No.5
akd
[PARTLY
ALLOWED]

C. R. M. (A) 3897 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 05.11.2024 in connection with Debra Police Station Case No. 537 of 2024 dated 16.08.2024 under 85/103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.2280 of 2024)

And

In Re: **Sk. Serajuddin @ Sekh Serajuddin & Ors.**

... .. Petitioners

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioners

Ms. Zareen N. Khan
Mr. Shiladitya Banerjee

... .. for the State

1. Heard learned Advocates for both the parties.
2. We have considered the materials on record including the statement of the witness. From the statement it appears she was assaulted primarily by her husband i.e. petitioner no.1 and younger uncle i.e. petitioner no.7. In view of the specific overt act attributed to them in the assault which compelled the victim lady to commit suicide, we are of the opinion this is not a fit case to grant anticipatory bail to petitioner nos.1 & 7.
3. Accordingly, the prayer for anticipatory bail of the petitioner nos.1 & 7 namely, **(1) Sk. Serajuddin @ Sekh Serajuddin & (7) Sk. Khaliluddin @ Selimuddin** is rejected.
4. However, allegations against petitioner nos.2, 3, 4, 5, 6, 8 & 9 i.e. the other in-laws are general and omnibus, Hence, we are inclined to grant anticipatory bail to them.

5. Accordingly, we direct in the event of arrest, the petitioner nos. 2, 3, 4, 5, 6, 8 & 9 namely **(2) Sk. Jahiruddin, (3) Raiman Bibi @ Rahimanesha Bibi, (4) Sk. Sahabuddin, (5) Sk. Samiruddin, (6) Sk. Niyamuddin @ Nejamuddin, (8) Sk. Alfa @ Sk. Alfajuddin & (9) Mst. Jahan Bibi @ Mast. Jahanara Bibi**, be released on bail upon furnishing 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner nos. 2, 3, 4, 5, 6, 8 & 9 shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)