

11.12.2024

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Allowed

C.R.M. (A) No. 4294 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Contai Police Station Case No. 501 of 2024 dated 02.08.2024 under Sections 498A/304B/306/354A/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

And

In Re : Indrajit Shit petitioner

Mr. Aniket Mitra
Sk. Sahjahan Ali

.....for the petitioner

Mr. Suman De
Ms. Pallavi Priyadarshee

....for the State

1. Learned Counsel for the petitioner submits he is the elder brother-in-law of the victim lady. He resides in Kolkata in connection with his employment. He has been falsely implicated. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits incident occurred within one year of marriage. Petitioner and other in-laws had demanded money from the victim and tortured her.

3. We have considered the material on record. Allegation of dowry demand by petitioner is bereft of material particulars with regard to date of such demand. Petitioner contends he ordinarily resides in Kolkata and did not have any role to play in the matrimonial affairs of the victim. Parents-in-law who resided with the victim at the matrimonial home have been released on bail. Keeping in mind the aforesaid facts we

are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

4. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)