

24.12.2024
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Allowed

C.R.M. (A) No. 4644 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Lalgah Police Station Case No. 128 of 2024 dated 05.12.2024 under Sections 85/117(2)/109/79/77/127(2)/3(5) of the BNS read with Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Shambhunath Mishra & Ors. petitioners

Mr. Siddhartha Sarkar

.....for the petitioners

Mr. Sujan Chatterjee

.....for the State

1. Learned Counsel for the petitioners submits petitioner no. 1 is the husband and petitioners no. 2 to 6 are in-laws of the victim-wife. It is also submitted they have been falsely implicated due to matrimonial dispute. They pray for anticipatory bail.

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

3. We have considered the materials on record. Marriage took place twenty years ago. In her statement victim-wife claimed accused had set her on fire in 2014. No contemporaneous complaint was lodged. No medical report in support of such allegation is placed on record. Other allegations are general and omnibus. Allegation with regard to voyeurism against petitioner no. 2 is also bereft of material

particulars with regard to date and time. Under such circumstances we are inclined to grant anticipatory bail to the petitioners.

4. Accordingly, we direct that in the event of arrest the petitioners shall 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that they 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.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)