

29.04.2024
SL No.146
Court No.1
(gc)
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 368 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Cooch Behar Sadar Women Police Station Case No.11 of 2024, dated 16th January, 2024 under Sections 498A/313/325 of the Indian Penal Code.

And

In the matter of : **Soyel Rabbani**

- Petitioner.

Mr. Hillol Saha Podder,
... For the Petitioner.

Mr. Tapan Bhattacharjee,
Mr. Dhiman Sil
... For the State.

1. Heard.
2. Prayer for anticipatory bail has been opposed by the State.
3. On perusal of the entire materials as placed before this Court and the statement of the victim as recorded under Section 164 of the Cr.P.C., it reveals that the allegation of commission of crime under Section 313 I.P.C. is omnibus in nature at least prima facie. Admittedly, there is however allegation of torture and mental harassment on account of demand of dowry.
4. Regard being had to the facts and circumstances of this case and considering the fact that the investigation has

already completed, this is not a fit case for the custodial interrogation of the present accused petitioner.

5. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
6. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Soyel Rabbani**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, to the satisfaction of the Chief Judicial Magistrate, Cooch Behar and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and also with a further condition that the present accused petitioner shall appear before the learned Trial Court on each and every date of substantive hearing subject to the provision of Section 317 of the Cr.P.C..
7. The application for anticipatory bail is, thus, disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)