

07.01.2025
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Allowed

C.R.M. (A) No. 46 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Shyampur Police Station Case No. 354 of 2024 dated 11.09.2024 under Sections 498A/34 of the Indian Penal Code read with Sections 85/80/316(2)/3(5) of the Bharatiya Nyaya Sanhita read with Section 4 of the Dowry Prohibition Act.

And

In Re : Nabakumar Das & Ors. petitioners

Ms. Devi Priya Mitra

.....for the petitioners

Mr. Debabrata Chatterjee

Ms. Mamata Jana

....for the State

1. Learned Counsel for the petitioners submits petitioner nos. 1 and 3 are the parents-in-law and petitioner no. 2 is the brother-in-law of the victim lady. It is also submitted they have been falsely implicated. 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. Incident occurred five years after marriage. Allegation of cruelty is general and omnibus. Husband has been enlarged on regular bail. Custodial interrogation for progress of investigation is not necessary. Under such circumstances we are inclined to grant anticipatory bail.

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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)