

13.05.2025

Item No.DL66
Court No. 28
Asraf, AR(Ct.)

ALLOWED

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

CRM (A) 1546 of 2025

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bowbazar Police Station case no.62 of 2025 dated 12.03.2025 under Sections 3(5), 85 and 316(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Dowry Prohibition Act.

-AND-

In the matter of :

1. **EJAZ SHAIKH @ AJAZ RAJJABALI SHAIKH**
2. **REHANA SHAIKH @ REHANA AJAZ SHAIKH @ REHANA**
3. **AFREEN SHAIKH @ AFREEN AJAZ SHAIKH @ AFREEN**

.....Petitioners

For the Petitioners :

Mr. Satadru Lahiri
Mr. Dipendra Nath Chander
Mr. Safdar Azam

.....Advocates

For the State :

Mr. Md. Imran Ali
Mr. Dipankar Mahata

.....Advocates

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the parents-in-law and the sister-in-law of the alleged victim. The marriage took place on 17.01.2021. On 23.01.2022 the wife left the matrimonial home out of her own volition and did not return. In this regard, complaints were lodged at Thane, Maharashtra as the couple was staying there at that time. Although the de facto complainant alleged in the FIR that she was driven out from the matrimonial home on 05.10.2023, she lodged the present FIR in March, 2025. Similarly circumstanced co-accused were granted

anticipatory bail by this Court on 28.04.2025 in CRM(A) 1323 of 2025

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail.

Considering the nature of allegations and the materials available in the case diary and the fact that some co-accused were granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the present petitioners.

Accordingly, the petitioners shall be released on bail upon furnishing bonds of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that they shall cooperate with the investigation and shall meet the Investigation Officer of this case as and when required and they shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail being **CRM(A) 1546 of 2025** is, thus, **allowed**.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)