

29.04.2022
Serial no.1 & 5
Aloke

CRM (A) 1389 of 2022

In the matter of : **Shyamali Mondal @ Mandal & Anr.**
... .. **Petitioners**

with
CRM (A) 1892 of 2022

In the matter of : **Bapi Mondal**
... .. **Petitioner**

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 165 of 2022 dated 11.02.2022 under Sections 498A/304(B)/34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act.

Mr. Pawan Kr. Gupta, Advocate
Mr. Arnab Saha, Advocate

... .. For the Petitioner

Ms. Faria Hossain, Advocate
Mr. Anand Keshari, Advocate

... ..For the State in
CRM (A) 1389 of 2022

Mr. Anwar Hossain, Advocate
Mr. Arif Ekbal Molla, Advocate

... ..For the State in
CRM (A) 1892 of 2022

Two applications for anticipatory bail are taken up together for consideration as they emanate out of the same police case.

Learned Advocate appearing for the petitioners submits that the petitioner in CRM (A) 1892 of 2022 is not pressing the application.

In such circumstances, CRM (A) 1892 of 2022 is dismissed as not pressed.

So far as the petitioners in CRM (A) 1389 of 2022 is concerned, they are the sister-in-law and the brother-in-law of the victim. The sister-in-law of the victim is married and resides separately.

Considering the gravity of the offence and the involvement of the petitioner no. 1, who is the sister-in-law, we are inclined to grant anticipatory bail to her.

Accordingly, we direct that in the event of arrest the petitioner no. 1 (Shyamali Mondal @ Mandal) shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner no. 1 (Shyamali Mondal @ Mandal) will cooperate with the investigation and on condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner no. 1 (Shyamali Mondal @ Mandal) is allowed.

So far as petitioner no. 2 in CRM (A) 1389 of 2022 is concerned, we are unable to grant anticipatory bail to him considering his involvement in the incident. Consequently, the prayer for anticipatory bail of the petitioner no. 2 is rejected.

CRM (A) 1389 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)