

01.10.2020
tkm/ct 28
sl no. 26

**C.R.M. 2820 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ratua P.S case no. 47 of 2020 dated 25.1.2020 under sections 498A/306/325/34 of the Indian Penal Code

And

Allowed

In Re : Abdul Kashim @ Abdul Kasem & Ors. petitioners

Mr. A K Bhowmick

..... for the petitioners

Mr. Arijit Ganguly

Mr. S K Dan

..... for the State

Heard the learned advocates appearing for the respective parties.

It is submitted on behalf of the petitioners that they are the in-laws of the victim housewife and they have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of allegations and as the incident occurred 11 years after marriage and the statutory presumption under section 113 A of the Evidence Act is not attracted in the facts of the case, we are inclined to grant anticipatory bail to the petitioners.

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 438(2) of the Code of Criminal Procedure, 1973.

The application being CRM 2820 of 2020 is disposed of.

(Shampa Sarkar, J.)

(Joymalya Bagchi, J.)