

03.09.2020
67
b.das

CRM 5843 of 2020
With
IA No. CRAN/1/2020 (Old. No. CRAN 4256 of 2020)
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Beldanga P.S. Case No.116/2020 dated 09.03.2020 under Section 498A/326/307 of the Indian Penal Code and Sections 3 and 4 of the D.P. Act added Section 306 of Indian Penal Code.

And

In the matter of: Hasanul Hadi Molla @ Md. Hasanul Hadi
.....Petitioner.

Mr. Robiul Islam
...for the Petitioner.

Ms. Sukanya Bhattacharya
Mr. Kutubuddin
...for the State.

Liberty has been granted to correct the cause title.

The petitioners undertake to affirm and stamp the petition as per the Rules within a month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The application being CRAN 4256 of 2020 is disposed of.

It is submitted on behalf of the petitioner that the incident occurred 13 years after marriage and the victim committed suicide.

We have considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime and as allegations levelled against him are general and omnibus in nature and the statutory presumption under 113A of the Evidence Act is not

attracted in the facts of the case, we are inclined to allow the prayer for pre-arrest bail of the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount, 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 parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)