

04.09.2020
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AM
Allowed

C.R.M. 6299 of 2020 (via video conferencing)
with
CRAN 1 of 2020 (Old No. CRAN 4820 of 2020)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Palashipara Police Station Case No.164 of 2020 dated 23.06.2020 under Sections 498A/307/34 of the Indian Penal Code;

And

In Re : Bhulai Sekh

.... petitioner

Mr. Sumanta Das, Adv.

....for the petitioner

Mr. Saibal Bapuli, Ld. APP

Ms. Sayanti Santra, Adv.

..... for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Accordingly, application being CRAN 1 of 2020 (Old No. CRAN 4820 of 2020 is disposed of.

It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in the instant case. A matrimonial dispute is continuing between the parties. The petitioner was assaulted by his wife and was medically treated on earlier occasion.

We have considered the materials on record and noted the nature of injuries vis-à-vis the history of assault in the aforesaid

medical report. In view of the aforesaid submission that there were regular scuffles between the parties resulting in injuries to both of them, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 and on further conditions that the petitioner shall not enter the jurisdiction of Palashipara Police Station or until further orders and shall provide the address where he shall reside to the investigating officer as well as the Court below. He shall meet the officer-in-charge of the concerned police station where he shall reside once in a week or until further orders and shall appear before the court below within two weeks from date.

This application for anticipatory bail is, thus, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)