

16.09.2020
SL No.39
Court No.8
(gc)
(Allowed)

CRM 6590 of 2020
CRAN 1 of 2020

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **03.09.2020** in connection with **Murutia** P.S. Case No.**199/2020** dated **25.08.2020** under Sections **498A/326** of the Indian Penal Code.

And

In the matter of: **Bapi Choudhory.**

....Petitioner.

Mr. Asraf Mondal

...for the Petitioner.

Mr. Madhusudan Sur, Ld. A.P.P.,
Mr. Arani Bhattacharyya

...for the State.

The 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 conference.

Accordingly, the application being CRAN 1 of 2020 is disposed of.

The learned Counsel appearing on behalf of the petitioner submits that marriage between the couple took place about 16 years ago. The allegations are absolutely commonplace and till date no complaint had been lodged about any wrong doing prior to this case.

The learned Counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the injury report where it has been recorded that the husband assaulted the wife with the blade of a fan.

Considering the materials available in the case diary, we do not think that the custodial interrogation of the petitioner is required in this case. However, considering the nature of assault, we are of the view that the movement of the petitioner needs to be restricted for the present. Accordingly, we allow the application for anticipatory bail to the petitioner. In the event of arrest the petitioners shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) together with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer subject to the condition as laid down under Section 438(2) of the Cr.P.C.

The petitioner shall not enter the jurisdiction of Murutia Police Station except for meeting the I.O. or attending the Court. It is further directed that the petitioner shall meet the I.O. of the case once a week.

The application for anticipatory bail being CRM 6590 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Jay Sengupta, J.)

(Soumen Sen, J.)