

CRM 6948 of 2020
With
I.A. No: CRAN/1/2020
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Berhampore Police Station Case No. 756/2020 dated 29.07.2020 under Sections 498A/325/307/34 of the Indian Penal Code.

Jamal Sk @ Jamal Saikh
Vs.
The State of W. B.

Mr. Ramashis Mukherjee
.....For the Petitioner
Mr. Narayan Prasad Agarwal
Ms. Subhashree Patel
.....For the State

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through videoconference on the basis of such undertaking.

The learned advocate for the petitioner submits that marriage was solemnized almost eight years ago with the present petitioner and the present case has been initiated out of a marital discord. Learned advocate for the petitioner further submits that the main allegations are not against the petitioner who is the husband but against the mother-in-law.

Mr. Agarwal, learned advocate for the State opposes the prayer for bail of the petitioner and hands over the memo of evidence along with the injury report.

We have perused the injury report, which reflects that the injuries are simple in nature.

Having regard to the nature of allegations, we are of the opinion that the custodial detention of the petitioner may not be warranted in connection with the instant case.

Accordingly, the prayer for anticipatory bail is allowed. As such in the event of arrest the petitioner shall furnish a bond of Rs.10,000/- each with two sureties one of whom must be local to the satisfaction of the investigating officer and on condition that he would not tamper with the evidence and/or intimidate any witness.

The aforesaid conditions are in addition to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

CRM 6948 of 2020 and CRAN 1 of 2020 are disposed of.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)