

14.10.2020

BP/BR
Sl.26

CRM 7720 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Tehatta Police Station Case No. 410 of 2020 dated 25.09.2020 under Sections 498A/323/325/307/34 of the Indian Penal Code.

In the matter of : Surajit Biswas and
anotherpetitioners

Mr. Asraf Mondal
..for the petitioners.

Mr. Tanmoy Kumar Ghosh
Ms. Sima Biswas
..for the State.

Learned advocate for the petitioners submits that the marriage was solemnized between the petitioner no. 1 and the victim about 12 years back. There are no charges of dowry. Only attempt to murder section is involved.

Learned advocate for the State opposes the prayer for anticipatory bail and produces the case diary.

After perusing the case diary and injury report, we find that doctor opined there is a need for C.T. scan to ascertain the proper nature of injury.

Considering the materials available in the case diary and after perusing the record, in our considered view, the petitioner no. 1 should not be granted anticipatory bail.

Accordingly, the prayer for anticipatory bail in respect of petitioner no. 1 (Surajit Biswas) is rejected and in respect of petitioner no. 2 (Prabhabati Biswas), the prayer for anticipatory bail is allowed.

In the event of arrest, the petitioner no. 2 (Prabhabati Biswas) shall be released on bail upon furnishing bond of Rs. 10,000/-(Rupees Ten Thousand only) each with two sureties of like amount, to the satisfaction of the arresting officer of the case.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being C.R.M. 7720 of 2020 is disposed of.

(Samapti Chatterjee, J.)

(Aniruddha Roy, J.)