

15.10.2020
Sl. No.41
akd
[ALLOWED]

C. R. M. 7723 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 29.09.2020 in connection with Hanskhali Police Station Case No. 178 of 2020 dated 13.05.2020 under Sections 498A/313/323/34 of the Indian Penal Code.

And

In Re: **Animesh Biswas & Anr.**

... .. Petitioners

Mr. Asraf Mandal .. Advocate

... .. for the petitioners

Mr. Narayan Prasad Agarwalla .. Advocate

Mr. Pratick Bose .. Advocate

... .. for the State

It is submitted on behalf of the petitioners that there is a domestic dispute between the petitioner no.1 and his wife. It is further submitted that the petitioners have been falsely implicated in the instant case.

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

We have considered the materials on record including the medical report which does not disclose a case of forcible abortion. In view of the aforesaid fact and other attending circumstances, we are inclined in granting anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely **(1) Animesh Biswas & (2) Debi Rani Biswas**, 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.

The application for anticipatory bail is, thus, disposed of.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Subhasis Dasgupta, J.)

(Joymalya Bagchi, J.)