

C.R.M. 8942 of 2020

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ratua P.S. Case No.47 of 2020 dated 25.01.2020 under sections 498A/306/325/34 of the Indian Penal Code.

And

In the matter of: Aktar Ali

Mr. Arup Bhowmick

... ... for the Petitioner

Mr. S. Chakraborty

... ... for the State

We have considered the materials on record including the post-mortem report and the statements of witnesses. Victim, a housewife, committed suicide 11 years after marriage. Accordingly, statutory presumption under section 113A of the Evidence Act is not attracted. Although there are allegations of physical assault on the victim, no physical injury apart from the ligature is noted in the post-mortem report.

In the aforesaid facts and circumstances of the case, we are inclined to grant 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), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

This application for anticipatory bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)