

10.12.2020
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allowed

CRM 10100 2020
(via video conferencing)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Deganga P.S. Case No. 404 of 2020 dated 22.08.2020 under Sections 498A/306 of the Indian Penal Code.

In the matter of : Anchar Ali @ Ancher Ali @ Aanachhara Ali & Anr.

.....Petitioners.

Mr. Sumanta Chakraborty
Mr. Sukanta Chakraborty

...for the Petitioners.

Mr. S.S.Imam
Mr. Subroto Roy

....for the State.

It is submitted by the learned Counsel appearing for the petitioners that the petitioners are in-laws of the victim housewife. The incident occurred ten years after marriage.

Learned Counsel appearing for the State opposes the prayer for anticipatory bail and submits that husband and in-laws tortured the victim housewife who committed suicide.

Allegations against the petitioners are general and omnibus in nature. The incident occurred ten years after marriage and statutory presumption under Section 113A of the Evidence Act is not attracted to the facts of the case. Accordingly, we are inclined in granting anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners 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.

The application for anticipatory bail is, thus, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)