

10.12.2020
tkm/ct 28
sl no. 62

**C.R.M. 10139 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Daspur P.S case no. 413 of 2019 dated 16.10.2019 under sections 498A/323/307/354/406/34 of the Indian Penal Code and 3/4 of the DP Act

And

Allowed

In Re : Sk Hobibul @ Habibul Rahaman & Ors. petitioners

Mr. T K Har
Mr. S Chakraborty

..... for the petitioners

Mr. Imran Ali
Ms. Sema Biswas

..... for the State

It is submitted on behalf of the petitioners that the incident occurred 12 years after marriage.

Learned lawyer for the State opposes prayer for anticipatory bail.

Allegations against the petitioners are general and omnibus. They are to be assessed in the light of the aforesaid submission made on behalf of the petitioners. That apart no internal injury is noted in the medical papers supporting the allegation of physical assault or attempt to murder the housewife.

Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each 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 and on further condition that the petitioner no. 1 while on bail shall meet investigating officer once in a week until further orders.

The application being CRM 10139 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)