

07.01.2020
tkm/ct 28
sl no. 18

C.R.M. 12434 of 2019

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 24.12.2019 in connection with Matigara P.S Case no. 922 of 2019 dated 1.11.2019 under sections 498A/307/313 of the IPC read with sections 3/4 of the DP Act

And

Allowed

In Re : Subrata Deb

..... petitioner

Mr. S De

Ms. S Mukherjee

..... for the petitioner

Mr. Swapan Banerjee

Ms. P Ghosh

..... for the State

It is submitted on behalf of the petitioner that the instant case occurred ten years after marriage. De facto complainant had eloped with another person.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Having considered materials in the case diary and bearing in mind the nature of allegations in the light of the aforesaid submissions made on behalf of the petitioner and as the allegation of miscarriage is not supported by medical papers, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- 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 and that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 12434 of 2019 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

