

29.07.2021

(Via Video Conference)

Court No.28
Item No.376
(ALLOWED)

CRM 1201 of 2021

Ab/Saswata

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 28.01.2021 in connection with Patharpratima Police Station Case No. 10 of 2021 dated 06.01.2021 under Sections 498A/420/325/308/34 of the Indian Penal Code;

And

In the matter of : **Jaydev Maiti @ Joydeb Maity and others.**
...Petitioners

Mr. Sumanta Chakraborty,
Mr. Sukanta Chakraborty.

...For the Petitioners

Mr. Tanmoy Kumar Ghosh,
Mr. Arindam Sen.

... For the State

The Advocate-on-record of the petitioners undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

Apprehending arrest in connection with Patharpratima Police Station Case No. 10 of 2021 under Sections 498A/420/325/308/34 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

The petitioners are matrimonial relations of the defacto complainant. The defacto complainant is the sister in-law of the petitioners.

On perusal of the First Information Report, we do not find any direct allegation against the petitioners. In view of such omnibus allegation and the same being made against the husband of the defacto complainant, the present petitioners are entitled to be

enlarged on anticipatory bail.

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, one of whom must be local, 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.

CRM 1201 of 2021 is, thus, **allowed.**

(Harish Tandon, J)

(Bibek Chaudhuri,J.)