

35. 30.07.2021

Ct.32

Tanmoy

Allowed

C.R.M. 1948 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **19/02/2021** in connection with **Hemtabad Police Station Case No. 245 of 2020** dated **13/12/2020** under Sections **341/323/325/354/307/506/34** of the Indian Penal Code.

And

In the matter of: - **Soyel Rana @ Soyel Ali & Ors.**

....petitioners.

Mr. Koustav Bagchi,
Mr. Arup Sarkar,
Mr. Debayan Ghosh

...for the petitioners.

Mr. N. P. Agarwal,
Mr. Pratick Bose

...for the State.

The petitioners have been charged under various Sections of the Indian Penal Code including Sections 341, 325, 354 and 307.

The case of the petitioners is that the petitioner no.1 married the daughter of the *de facto* complainant in spite of strong opposition to such marriage on the part of the *de facto* complainant. This annoyed the *de facto* complainant and prompted him to lodge a false complaint against the petitioner no.1 and his family members who are the other petitioners herein.

Learned Advocate for the State produces the Case Diary and draws our attention to various statements recorded under Sections 161/164 of the Code of Criminal Procedure. We have

also seen the injury report which says that the injury is a simple one.

It appears that the present complaint is a result of family dispute. Having regard to the nature and gravity of the offence that the petitioners have been charged with and the material in the Case Diary, we are of the opinion that immediate custodial interrogation of the petitioners may not be necessary and they may be granted anticipatory bail.

Accordingly, 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure and with a further direction that the petitioners shall meet the Officer-in-Charge of Hemtabad Police Station once in every ten days until further orders.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. 1948 of 2021 is, thus, **allowed**.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)