

108. 30.07.2021

Ct.32

Tanmoy

Allowed

C.R.M. 2630 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **12/03/2021** in connection with **Bongaon Police Station Case No. 24** dated **10/01/2021** under Sections **498/406/307** of the Indian Penal Code.

And

In the matter of: - **Sri Kajal Kumar Nag and Anr.**

....petitioners.

Mr. Anupam Hait

...for the petitioners.

Mr. Imran Ali,
Mr. Nirupam Dhali

...for the State.

The petitioners are the sister-in-law and the husband of the sister-in-law of the *de facto* complainant. It is submitted that they reside separately from the *de facto* complainant and her matrimonial family. They have been falsely implicated.

Learned Advocate for the State produces the Case Diary and submits that there is no medical document in support of the alleged injuries sustained by the complainant.

We have considered the material in the Case Diary. It appears that the petitioners reside separately from the complainant. Allegation against them is general and omnibus. F.I.R. has been lodged after a delay of 14 months. There is no contemporaneous medical document in support of the injuries as alleged by the complainant.

Considering the facts and circumstances of the case as well as the nature of the allegations, we are inclined to grant anticipatory bail to the petitioners.

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 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. 2630 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.)