

13.12.2021
cm/ct 28
sl no. 23

C.R.M. 3992 of 2021

In Re : An application for Anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Santipur P.S Case No. 13 of 2021 dated 02.01.2021 under Sections 326A/302/506/34 of the Indian Penal Code.

And

Allowed

In Re : Dulal Das & Ors.

..... petitioners

Mr. Uday Shankar Chattapadhyay
Ms. T. Rakshit
Mr. Santanu Maji
Ms. Snigdha Saha
Mr. Pronay Basak

..... for the petitioners

Mr. Madhusudan Sur
Mr. Dipankar Paramanik

..... for the State

Petitioners are in-laws of the housewife and it is submitted that they have been falsely implicated.

It is further submitted that the incident occurred while the deceased was residing at her parental home. She had herself ingested acid. There is inordinate delay in lodging FIR.

Learned lawyer for the State opposes the prayer for bail. He submits that the victim had gone to the residence of the petitioners whereupon they had forcibly administered acid to her.

We have considered the materials on record. Victim suffered acid burnt injuries on 9.08.2020. Initially she was admitted in the district hospital at Nadia. Thereafter, she was treated at Apollo Hospitals, Chennai. Medical papers maintained in ordinary course of business in the District Hospital at Nadia do not disclose a case of administration of acid to the victim. FIR has been registered after

a considerable period of time. None of witnesses had seen the petitioners administer acid to the victim.

Under such circumstances, we are of the opinion that petitioners may be granted pre-arrest 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/- 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.

Petitioner shall appear before the court below and pray for regular bail within two weeks from date.

The application being CRM 3992 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)