

94 13.12.2021  
(AD)  
Court No.28  
(Allowed)

**C.R.M. 4838 of 2021  
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Santiniketan** P.S. Case No. **82 of 2021** dated **08/06/2021** under Sections **498A/307/34** of the Indian Penal Code, 1860 (Corresponding to G.R. Case No.632/2021).

And

In the matter of: Sk. Anar Hossain & Ors.

....petitioners.

Mr. Saryati Datta  
Mr. Sanjib Kumar Dan

...for the petitioners.

Mr. S.S. Imam  
Mr. Subrato Roy

...for the State.

It is submitted on behalf of the petitioners that there is a matrimonial dispute between petitioner no.1 and the de facto complainant. They have been falsely implicated in the instant case.

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

We have considered the materials on record. Keeping in mind the nature of allegations, we are of the opinion though custodial interrogation of the petitioners may not be necessary, the petitioner no.1 requires to co-operate with the investigation in accordance with law.

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, 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 on further condition that the petitioner no.1 while on bail shall meet the Investigating Officer once a week until further orders.

The petitioners shall appear before the Court below and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 4838 of 2021 is, thus, disposed of.

**(Bivas Pattanayak, J.)**

**(Joymalya Bagchi, J.)**