

21.12.2021
Item no.43.
Court No.28.
AB

(Via Video Conference)

CRM No. 8362 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Sutahata Police Station Case No.200 of 2021 Dated 1.7.2021 under Sections 498A/302/34 of the Indian Penal Code read with Section 4 of the D. P. Act

And

In the matter of : Nirmal Sen @ Nirmal Kumar Sen & Ors.

.....Petitioners.

Mr. Suman Defor the Petitioners.

Mr. S. S. Imam,
Mr. S. Kundufor the State.

It is submitted on behalf of the petitioners that the victim committed suicide by hanging and they have been falsely implicated.

Learned lawyer appearing for the State opposes the prayer for anticipatory bail and submits that the petitioners subjected the victim to torture and she committed suicide within six years of marriage.

We have considered the materials in the case diary. The allegations of torture are general and omnibus in nature. Investigation is complete. Hence, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/-(Rupees Ten Thousand only) 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 conditions that the petitioners shall appear before the court below and pray for regular bail within a period of four weeks from date.

The application for anticipatory bail is, thus, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)