

C.R.M. 11144 of 2020

Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No. 45/2020 dated 29.01.2020 under section 498A/323/307/506/34 of the IPC.

In re : Buddhadeb Dutta & Ors.

... Petitioners.

Mr. Asraf Mandal

... for the Petitioners.

Mr. Iqbal Kabir

... for the State.

The present application under Section 438 of the Code of Criminal Procedure, 1973 filed at the instance of Buddhadeb Dutta & Ors. is taken up for hearing and order.

It is submitted on behalf of the petitioners that the petitioner no.1 is husband and others are his brothers. They are falsely implicated in this case. The complaint has also been lodged after considerable delay.

The State refers to the case diary and opposes the prayer for anticipatory bail.

It appears that there is no allegation of torture against the petitioners and no contemporaneous injury report is found from the case diary.

Considering the nature of offence, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in event of arrest, the petitioners shall be released on anticipatory bail upon furnishing

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 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 shall meet the investigating officer once in a week until further order.

The application for anticipatory bail is, accordingly, allowed.

C.R.M. 11144 of 2020 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)