

07.01.2022
Sl. No.10
akd
[PARTLY
ALLOWED]

C. R. M. (A) 30 of 2022

[via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 03.01.2022 in connection with Motabari Police Station Case No. 365 of 2021 dated 10.11.2021 under Sections 498A/326/307 of the Indian Penal Code. (G.R. Case No.6313 of 2021)

And

In Re: ***Mojibur Sk. & Ors.***

... .. Petitioners

Ms. Minoti Gomes
Mr. Kausik Biswas

... .. for the petitioners

Mr. Tanmay Kr. Ghosh
Ms. Sonali Bhar

... .. for the State

Petitioner no.3 is the husband and petitioner nos.1, 2 & 4 are the in-laws of the victim-housewife. It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record including the injury report. In view of the prima facie role played by petitioner no.3 in causing injury on the victim-housewife which is supported by medical evidence, we are not inclined to grant anticipatory bail to him.

Accordingly, the prayer for anticipatory bail of the accused/petitioner no.3 namely, **(3) Jenarul Hoque** is rejected.

However, keeping in mind the extent of complicity of the petitioner nos.1, 2 & 4 in the alleged crime, we are inclined in granting anticipatory bail to them.

Accordingly, we direct that in the event of arrest, the accused/petitioner nos.1, 2 & 4 namely **(1) Mojibur Sk., (2) Amrika**

Bibi & (4) Anwar Hossain, be released on 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 petitioner nos.1, 2 & 4 shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Bibhas Ranjan De, J.)

(Joymalya Bagchi, J.)