

**10.03.2022**

Court No.32  
rpan/141

**C.R.M. (A) 506 of 2022**

In Re:- An application for anticipatory bail under section 438  
of the Code of Criminal Procedure;

And

In re: **Aminur Hossain & Another**

- Petitioners

Mr. Debabrata Roy,  
Mr. Soumik Mandal  
... for the Petitioners.  
Mr. Imran Ali,  
Ms. Sujata Das  
... for the State.

Apprehending arrest in connection with  
Baduria Police Station Case No.587 of 2021 dated 29.09.2021  
under Sections 498A/325/307/406/34 of the Indian Penal Code,  
the petitioners have filed the present application.

Mr. Roy, learned advocate appearing for the petitioners  
submits that the petitioner nos.1 and 2 are the younger brother-in-  
law and the husband respectively of the victim. The allegations  
levelled are omnibus in nature. No overt act has been attributed to  
the petitioners. Upon completion of investigation charge sheet has  
also been submitted and as such, custodial interrogation of the  
petitioners may not be necessary.

Ms. Das, learned advocate appearing for the State opposes  
the petitioners' prayer and draws our attention to the statements  
of the victim, her father and the neighbours, as recorded under  
Section161 of the Code as well as the injury report.

Heard the learned advocates appearing for the respective  
parties. Considering the materials in the case diary, including the

statements of the witnesses, the injury report and bearing in mind the nature of accusations in the light of the submissions made by the respective parties and in view of the fact that upon completion of investigation charge sheet has been submitted, we are of the opinion that custodial interrogation of the petitioners is not warranted. As such, prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest the petitioners, namely, **Aminur Hossain** and **Mominur Hossain** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioners shall attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 506 of 2022, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Sugato Majumdar, J.)**

**(Tapabrata Chakraborty, J.)**