

21.03.2022
Sl. 86
Court No.29
sourav
(Allowed)

C.R.M. (A) 725 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **09.02.2022** in connection with **Laketown** P. S. Case No. **22** of **2022** dated **28.01.2022** under Sections **498A/406/323/354/494/34** of the Indian Penal Code.

And

In the matter of: **Samsul Alam Choudhury & Ors.**

....petitioners.

Mr. S. Ahmed
Mr. G. K. Chowdhury

...for the petitioners.

Mr. Debabrata Chatterjee
Ms. Sonali Das

...for the State.

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners complied with the notices under Section 41A of the Criminal Procedure Code. The petitioner no. 2 lodged a complaint with the Women's Commission with regard to the actions of the defacto complainant whereupon a report was submitted. The petitioner no. 1 filed a suit for divorce which was subsequently disposed of as not maintainable. The police complaint was filed subsequently.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Considering the fact that there was a prior complaint lodged by the petitioner no. 2 before the Women's Commission and considering the gravity of the offence and materials in the case diary, we 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner nos. 1, 4 and 6 will report before the Investigating Officer once in a month till the conclusion of the investigation and petitioner nos. 2, 3, and 5 will co-operate with the investigation and on condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 725 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

