

11.03.2022

Serial no. 06

Dd

CRM(A) 1160 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **132** of **2022** dated **24.02.2022** under Sections **498A/307/34** of the Indian Penal Code.

-And-

In the matter of : **Subodh Biswas & Ors.**
... **Petitioners**

Mr. Kaustav Bagchi,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Debayan Ghosh, Advocates
... ... For the Petitioners

Mr. Bidyut Kumar Roy,
Ms. Sima Biswas, Advocates
... ...For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 161 of the Criminal Procedure Code. He submits that the investigations are at notion stage.

Considering the gravity of the offence and considering the fact that first petitioner is the husband of the de facto complaint, we are not inclined to grant anticipatory bail to the first petitioner, **Subodh Biswas**. However, so far as the other two petitioners namely, petitioner no. 2, **Debnarayan Biswas** and petitioner no. 3., **Anjana Biswas** are concerned, considering their relationship with the de facto

complainant and considering their age, we are inclined to grant anticipatory bail to the them.

Accordingly, we direct that in the event of arrest the petitioner no. 2 and 3 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 condition that the petitioner nos. 2 and 3 shall appear before the Court below and pray for regular bail within a period of four weeks from date and on further condition that the petitioner no. 2 shall meet the Investigating Officer once a fortnight till completion of investigation and the petitioner no. 3 shall cooperate with the investigation till its completion.

Prayer for anticipatory bail of the petitioners is **partly allowed.**

CRM(A) 1160 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)