

22 22.04.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A) 1820 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** P.S. Case No.**67 of 2022** dated **17/02/2022** under Sections **341/376/511/509/34** of the Indian Penal Code, 1860.

And

In the matter of: Mofijul Sai & Ors.

....petitioners.

Mr. Soupal Chatterjee

...for the petitioners.

Md. Anwar Hossain
Ms. Ratna Ghosh

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the daughter of the petitioner no.1 is married to the son of the de facto complainant. The daughter of the petitioner no.1 filed a police complaint, *inter alia*, under Section 498A of the Indian Penal Code prior in point of time. The present police complaint is a counter-blast to that.

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

Considering the fact that the present police complaint being lodged as a counter-blast to the earlier proceedings, *inter alia*, under Section 498A of the Indian Penal Code cannot be ruled out at this stage and considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the 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 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 petitioners will report before the Investigating Officer as and when called for till the conclusion of 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 1820 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)