

04.05.2022

Sl. 33
Court No.29
suvayan
(Allowed)

CRM (A) 2026 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** P.S. Case No. **274 of 2022** dated **21/03/2022** under Sections **498A/306** of the Indian Penal Code.

And

In the matter of: Mostufa Ali @ Md. Mustofa & Anr.

....petitioners.

Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kr. Dan

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the husband was granted bail by this Hon'ble Court.

Learned Advocate appearing for the State submits that the investigations are yet to be concluded. He refers to the statement of the father of the victim recorded under Section 164 of the Criminal Procedure Code.

Considering the fact that the husband of the victim was enlarged on bail and considering the materials in the case diary and the involvement of the petitioners therein, 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 no.1 (*Mostufa Ali @ Md. Mustofa*) will report before the Investigating Officer once in a week and the petitioner no.2 (*Sajida Bibi @ Mst. Sajeda Khatun*) shall co-operate with the Investigating Officer 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.

CRM (A) 2026 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)