

10.06.2022
tkm/ct 28
sl no. 181

C.R.M. (A) 2605 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tehatta P.S case no. 377 of 2022 dated 14.5.2022 under sections 498A/325/307/34 of the IPC

And

Allowed

In Re : Gopal Bala & Ors.

..... petitioners

Mr. Asraf Mandal

..... for the petitioners

Mr. P Maji

..... for the State

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case out of a matrimonial dispute.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered materials on record. Allegations of torture are general and omnibus. It appears that the incident occurred in the course of a sudden quarrel between the couple.

In view of the aforesaid facts, we are of the opinion though custodial interrogation of the petitioners is not necessary, petitioner no. 1-husband requires to co-operate with investigation in accordance with law.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- 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 petitioner

no. 1 while on bail shall meet the investigating officer once in a week until further orders..

Petitioners shall appear before the court below and prays for regular bail within four weeks from date.

The application being CRM (A) 2605 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)