

13.06.2022

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Allowed

C.R.M.(A) 2607 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chakdah Police Station Case No. 363 of 2022 dated 01.06.2022 under Sections 498A/313/34 of the Indian Penal Code.

And

In Re : Habibar Daptari @ Habibur Rahaman Daptari @ Habibur Rahaman Duptari & Ors. .... petitioners

Mr. Shibaji Kumar Das

Ms. Rupsa Sreemani

.....for the petitioners

Mr. S. S. Imam

Sk. Arif Hossain

....for the State

Learned Counsel appearing for the petitioners submits that they are the in-laws of the victim housewife. It is contended they are not the principal accuseds.

Learned Counsel appearing for the State opposes prayer for anticipatory bail.

We have considered the materials on record including F.I.R. wherein it is alleged that the husband had pushed the victim lady which resulted in miscarriage. Allegations of torture against the petitioners are general and omnibus in nature. In view of the aforesaid facts, we are inclined to grant anticipatory bail to them.

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 condition that they shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

**(Ananya Bandyopadhyay, J.)**

**(Joymalya Bagchi, J.)**