

13.06.2022
tkm/ct 28
sl no. 175

C.R.M. (A) 2653 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chhatna P.S case no. 29 of 2022 dated 24.3.2022 under sections 498A/313/328/506/34 IPC and sections 3/4 of the DP Act

And

Allowed

In Re : Goutami Mishra

..... petitioner

Mr. S Ganguli

..... for the petitioner

Mrs. Sreeparna Das

..... for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case due to matrimonial dispute.

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

We have considered materials on record including the statement of the medical officer who treated the victim. He does not support the case of the prosecution relating to physical assault of the victim resulting in abortion.

Keeping in mind the aforesaid facts and as allegations of torture are general and omnibus in nature, we are inclined to grant anticipatory bail to the petitioner.

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

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

The application being CRM (A) 2653 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)