

22.06.2022
Serial no.41
Aloke

CRM (A) 2951 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Hariharpara Police Station Case No. 200 of 2022 dated 10.05.2022 under Sections 498A/302/34 of the Indian Penal Code.

-And-

In the matter of : **Soriful Mondal @ Sofiful Islam**

... ... Petitioner

Mr. Somenath Adhikary, Advocate

... ... For the Petitioner

Mr. Sasata Gopal Mukherjee, Id. PP

Mr. Aniket Mitra, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention to the statement of the son of the victim recorded under Section 164 of the Code of Criminal Procedure.

In response to a query, he submits that the husband of the deceased is in custody.

The police are yet to complete the investigation. The statement of the son of the victim recorded under Section 164 of the Code of Criminal Procedure implicates the husband of the victim.

In such circumstances, we are inclined to grant anticipatory bail to the petitioner who is not the husband of the deceased.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 the petitioner shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 2951 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)