

29.06.2022
Sl. 64
Court No.29
(AD)
(Allowed)

C.R.M. (A) 3060 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Goghat** Police Station Case No. **104** of **2022** dated **25.04.2022** under Sections **498A/307/406** of the Indian Penal Code, 1860.

And

In the matter of: **Debdas Mukhopadhyay alias Debdas Mukherjee & Anr.**

....petitioners.

Mr. Arindam Jana
Mr. Bikram Banerjee

...for the petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the husband was enlarged on bail by the jurisdictional Court on May 19, 2022. He submits that the jurisdictional Court found injury to be self-inflicted.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statements recorded under Section 161 of the Code of Criminal Procedure.

The husband of the de facto complainant was enlarged on bail by the jurisdictional Court on May 19, 2022 after returning a finding that the injury was self-inflicted when the de facto complainant tried to hang herself in the matrimonial home.

Considering the fact that the husband was enlarged on bail by the jurisdictional Court and considering the gravity of the offence 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, namely, Debdas Mukhopadhyay alias Debdas Mukherjee, will report before the Investigating Officer once a fortnight till the conclusion of the investigation and the petitioner no.2, namely, Ava Rani Mukhopadhyay alias Ava Mukherjee, will cooperate with the investigation till the conclusion of the investigation 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.

C.R.M. (A) 3060 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)