

12.07.2022
Serial no.43
Aloke

CRM (A) 3322 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No. 529 of 2022 dated 28.06.2022 under Sections 498A/323/307/34 of the Indian Penal Code.

-And-

In the matter of : **Krishna Chandra Biswas & Ors.**

... .. Petitioners

Mr. Asraf Mandal, Advocate

... .. For the Petitioners

Ms. Faria Hossain, Advocate

Ms. Baisali Basu, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the State draws the attention to the materials in the case diary and the statement of the de facto complainant recorded under Section 161 of the Code of Criminal Procedure.

The complaint was lodged within seven years of marriage.

In such circumstances, we are unable to grant anticipatory bail to the first petitioner (Krishna Chandra Biswas) who is the husband of the de facto complainant.

So far as the other petitioners are concerned, we are inclined to grant anticipatory bail to petitioner nos. 2 (Shefali Rani Biswas), 3 (Nadu Mondal @ Jagadish Mondal) and 4 (Shikha Mondal @ Sikha Mondal).

Accordingly, we direct that in the event of arrest the petitioner nos. 2 (Shefali Rani Biswas), 3 (Nadu Mondal @ Jagadish Mondal) and 4 (Shikha Mondal @ Sikha Mondal) 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 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 no. 3 shall meet the Investigating Officer once in

a fortnight till the conclusion of the investigation and petitioner nos. 2 and 4 will cooperate with the investigation and on further condition that the petitioner nos. 2, 3 and 4 shall appear on every date 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 nos. 2, 3 and 4 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner nos. 2, 3 and 4 is allowed.

Prayer for anticipatory bail of the petitioner no. 1 is rejected.

CRM (A) 3322 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)