

08.08.2022

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Ct. No. 29

**KAUSHIK**

Partly

Allowed

**C.R.M.(A) 3787 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nowda** Police Station Case No. **145** of **2022** dated **09.06.2022** under Sections 498A/326/307 of the Indian Penal Code, 1860.  
And

In Re : Piyarul Mondal & Ors.

..... petitioners

Ms. Minoti Gomes

....for the petitioners

Mr. Imran Ali

Ms. Debjani Sahu

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the husband is in custody. The petitioners were falsely implicated.

Learned advocate appearing for the State submits that, the victim suffered 30 per cent burn injuries. She implicated the first petitioner in the incident.

Considering the materials in the case diary, the gravity of the offence and the involvement of the petitioners therein, we are unable to grant anticipatory bail to the petitioner no. 1 (Piyarul Mondal).

Accordingly, the application for anticipatory bail is, thus, rejected so far as petitioner no. 1 is concerned.

So far as the petitioner nos. 2 and 3 are concerned, we grant anticipatory bail to the petitioner nos. 2 (Menoka Bibi @ Gulkoch Bibi @ Gulkhosh Bibi) and 3 (Hajera Bewa @ Hazera Bibi).

Accordingly, we direct that in the event of arrest the petitioner nos. 2 and 3 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 further condition that the petitioner nos. 2 and 3 shall cooperate the Investigating Officer till the conclusion of the investigation and on condition that the petitioner nos. 2 and 3 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 and 3 in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, partly allowed.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**

