

31.08.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4160 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **260** of **2022** dated **24.07.2022** under Sections 498A/328/307/34 of the Indian Penal Code, 1860.

And

In Re : Rakhi Mondal

..... petitioner

Mr. Amanul Islam

Mr. Sourav Mukherjee

....for the petitioner

Mr. Atis Kumar Biswas

Mr. Amit Singh

Ms. Jyoti Agarwal

....for the de-facto complainant

Mr. D. Chatterjee

Ms. Debjani Dasgupta

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The husband of the de-facto complainant was released on bail by the Jurisdictional Court yesterday.

Learned advocate appearing for the State draws the attention of the Court to the medical report of the victim and her statement recorded under Section 161 of the Code of Criminal Procedure.

De-facto complainant is represented.

It appears from the materials in the case diary that, the husband of the victim allegedly administered poison on the victim. The husband was enlarged on bail by the Jurisdictional Court. It is claimed that there was a relationship between the husband of the victim and the present petitioner.

In such circumstances, we 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 and on further condition that the petitioner shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioner 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 in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

