

21.09.2022
Serial no. 18
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 4501 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. **232** of **2022** dated **02.07.2022** under Sections **498A/326/34** of the Indian Penal Code.

-And-

In the matter of : **Rejaul Haque & Ors.**
... .. **Petitioners**

Ms. Minoti Gomes,
Md. Hafiz Ali, Advocate
... .. *For the Petitioners*

Mr. Bidyut Kr. Roy,
Ms. Simal Biswas, Advocates
... ..*For the State*

This is the second police complaint under Section 498A of the Criminal Procedure Code at the behest of the de facto complainant.

In the earlier police case, the husband surrendered and was granted bail by the jurisdictional Court. The other co-accuseds were enlarged on anticipatory bail by this Hon'ble Court.

Learned advocate appearing for the State refers to the materials in the case diary.

In view of the present police complaint being second in point of time *inter alia* under Section 498A of the Criminal Procedure Code and in view of the materials in the case diary and in view of the fact that in the earlier police complaint the husband was enlarged on bail and other co-accuseds were

enlarged on anticipatory bail, we are inclined to 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 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 petitioners shall report before the Investigating Officer as and when called for till the conclusion of the investigation and on further condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 4501 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)