

29.09.2022.
02.
as
(Allowed).

C.R.M. (A) 4594 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhutni P. S. Case No.149 of 2022 dated 12.08.2022 under Sections 498(A)/325/308/506/34 of the Indian Penal Code read with Section 3 / 4 of the D. P. Act.

In the matter of : Tafajul Hoque.

... Petitioner.

Mr. M. Alam Sk.

...for the Petitioners.

Mr. B. K. Roy,
Mrs. S. Biswas.

.....for the State.

Petitioner submits there was a matrimonial dispute and he has been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail. He submits incident occurred within one year of marriage.

We have considered the materials on record. Injury report discloses no visible injury over whole body. Allegation of attempt to commit culpable homicide requires to be assessed in the light of the aforesaid fact during trial.

Under such circumstances, we are of the opinion custodial interrogation for progress of investigation is not necessary and the petitioner may be granted anticipatory bail.

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 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 appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)