

29.09.2022.
22.
AD/KC
(Allowed).

C.R.M. (A) 4694 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur P. S.** Case No.**796 of 2022** dated **03.09.2022** under Sections **498(A)/306/34** of the Indian Penal Code.

In the matter of : Manjari Begam @ Manjuri Bibi & Ors.
... Petitioners.

Mr. Kallol Mondal
Mr. Krishan Ray
Mr. Arup Sarkar

...for the Petitioners.

Ms. Ratna Ghosh

.....for the State.

Petitioners are the in-laws of the victim housewife.

It is the submitted incident occurred eight years after marriage.

Learned lawyer of the State opposes the payer for anticipatory bail.

We have considered the materials on record. Allegations of torture are general and omnibus in nature. Husband of the victim lady is in custody. Incident occurred eight years after marriage and statutory presumptions under Sections 113(A)/113(B) of the Evidence Act are not attracted in the facts of the case.

Under such circumstances, we are of the opinion custodial interrogation of the petitioners are not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners 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 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 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.)