

13.10.2022.

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NB/sws.m

(Allowed).

C.R.M. (A) 4923 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Palashipara P. S. Case No.339 of 2022 dated 22.09.2022 under Sections 461/325/307/379/506/34 of the Indian Penal Code.

In the matter of : Iliach Hossain Sk. & Ors.

... Petitioners.

Ms. Karabi Roy.

...for the Petitioners.

Mr. Joydeep Roy,
Mr. Asif Dewan.

.....for the State.

Heard learned lawyers appearing for the parties.

It is submitted that petitioner no.4 was subjected to cruelty at the matrimonial home. She instituted criminal case against the de facto complainant/father in law and other in laws. In retaliation, the present case has been lodged.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Possibility of false implication due to prior criminal case lodged by petitioner no.4 against the de facto complainant and others cannot be ruled out. Injuries are not life threatening.

Under such circumstances, 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/- 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 they 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.

(Supratim Bhattacharya, J.)

(Joymalya Bagchi, J.)