

18.10.2022

Vacation Bench
SL No.32
S.B/s.biswas
(Allowed)

C.R.M. (A) 5014 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gopiballavpur** P.S. Case No. **92 of 2022** dated **16.09.2022** under Sections **498A/354/307/34** of the Indian Penal Code.

And

In the matter of: **Jyoti Krishna Das and another**

....Petitioners

Mr. Soumyajit Das Mahapatra
Mr. Deep Das
Ms. Oindrila Ghosh

...for the Petitioners

Mr. Bidyut Kumar Roy
Ms. Sima Biswas

...for the State

The husband was enlarged on anticipatory bail by the Coordinate Bench of this court on 13th October, 2022 in CRM(A) No. 4889 of 2022 on the finding that the allegation of torture of the housewife was general and omnibus in nature and that the allegation of attempt to murder appeared to be exaggerated.

Learned advocate for the State draws attention of this court to the materials on record in the case diary.

We are unable to take a view different to that returned by the Coordinate Bench on 13th October, 2022.

Consequently, we 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners no. 1 will report before the Investigating Officer once in a month till the conclusion of the investigation and the petitioner no. 2 will cooperate with the investigation and on condition that the petitioners shall appear 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 5014 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)