

16 25.11.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 5452 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdah** P.S. Case No.**654 of 2022** dated **07/10/2022** under Sections **498(A)/494/307/34** of the Indian Penal Code, 1860.

And

In the matter of: **Aninda Sarkar & Ors.**

....petitioners.

Mr. Shibaji Kumar Das
Ms. Rupsa Sreemani

...for the petitioners.

Mr. Imran Ali
Ms. Debjani Sahu

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the de facto complainant left the matrimonial house in 2017. The police complaint was lodged after about fourteen years of marriage.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. She submits that the third petitioner is the person who the first petitioner, as the husband of the de facto complainant married.

The allegations as against the petitioners are *general* and *omnibus* in nature.

Apparently the de facto complainant left her matrimonial home round about the year 2017. The police complaint was lodged fourteen years after the marriage.

In such circumstances, 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 also 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 no.1 will report before the Investigating Officer once a month till the conclusion of the investigation and petitioner nos.2 and 3 will cooperate with the investigation till the conclusion of the investigation and on 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 5452 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)