

25.11.2022
Serial no.30
Aloke

CRM (A) 5466 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Ketugram Police Station Case No. 494 of 2022 dated 22.09.2022 under Sections 498A/494/323/406/34 of the Indian Penal Code read with Section 4 of the D.P. Act.

-And-

In the matter of : **Nur Islam Sk. & Ors.**

... .. Petitioners

Mr. Kallol Kr. Basu, Advocate
Mr. Mrinal Das, Advocate
Mr. Raja Adhikary, Advocate

... .. For the Petitioners

Mr. Narayan Prasad Agarwala, Advocate
Mr. Mirza Firoj Ahmed Begg, Advocate

... ..For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the marriage took place in 2009. The petitioners were falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case dairy. He submits that the husband married another lady.

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

The police complaint was lodged after 12 years of marriage.

In 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner nos. 1, 2 and 3 will report before the Investigating Officer once in a month till the conclusion of the

investigation and petitioner nos. 4 and 5 will cooperate with the investigation till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 5466 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)