

9 13.12.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 5776 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** P.S. Case No.**597 of 2022** dated **08/07/2022** under Sections **323/498/365/367/345/346/368/372/341/370/506/34** of the Indian Penal Code and Section **6** of the Child Marriage Restraint Act.

And

In the matter of: **Manju Das @ Manjubala Das**

....petitioner.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

...for the petitioner.

Mr. Sudip Kumar

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that a police complaint, *inter alia*, under Section 498A of the Indian Penal code, 1860 was lodged by the daughter of the petitioner against her in-laws. The present police complaint is a counterblast thereto.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the de facto complainant recorded under Section 164 of the Code of Criminal Procedure.

There is a police compliant and a proceeding under the Domestic Violence Act showing the possibility of false implication of the petitioner cannot be overlooked in the given facts and circumstances of the present case.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5776 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)