

21.12.2022
Serial no. 06
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 5805 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **1109** of **2022** dated **29.09.2022** under Sections **498A/376/323/308/417/406/448/506/34** of the Indian Penal Code.

-And-

In the matter of : **Md. Obaidullah & Ors.**
... .. **Petitioners**

Mr. Kalidas Saha, Advocate
... .. *For the Petitioners*

Mr. Kalyan Kr. Chakraborty,
Mr. Kashinath Bhattacharya,
Mr. Ashok Halder, Advocates
... ..*For the de facto complainant*

Mr. Bidyut Kr. Roy,
Ms. Rita Datta, Advocates
... ..*for the State*

Petitioner no. 1 paid the maintenance directed by the jurisdictional Court.

Learned advocate appearing for the petitioners submits that henceforth, the petitioner no. 1 will be depositing the maintenance as quantified by the jurisdictional Court in the Bank Account of the de facto complainant in accordance with the order of the jurisdictional Court.

The materials in the case diary do not suggest requirement of custodial interrogation.

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 further condition that the petitioner nos. 1, 3, 5 and 7 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner nos. 2, 4 and 6 shall cooperate with the investigation till its completion 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) 5805 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)