

19.01.2023

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Ct. No. 29

KAUSHIK

Partly

Allowed

C.R.M.(A) 265 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **20** of **2023** dated **04.01.2023** under Sections 498A/323/308/34 of the Indian Penal Code, 1860 read with Section 3/ 4 of the Dowry Prohibition Act.

And

In Re : Faridul Ali @ Faridul Haque & Ors.

..... petitioners

Mr. Aslam Khan

....for the petitioners

Mr. Pravas Bhattacharya

Mr. Pratick Bose

....for the State

The police case was lodged three years after marriage.

Apparently, the de-facto complainant suffered injuries.

Considering the gravity of the offence and the involvement of the petitioners therein, we are unable to grant anticipatory bail to the first petitioner (Faridul Ali @ Faridul Haque).

Accordingly, the application for anticipatory bail is, thus, rejected so far as petitioner no. 1 is concerned.

So far as the petitioner nos. 2 (Dipali Bibi) and 3 (Bhaba Kaji @ Bhabana) are concerned, we grant them anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner nos. 2 and 3 shall be released on bail upon furnishing a bond of Rs.10,000/- 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 no. 2 shall cooperate with the Investigating Officer till the conclusion of the investigation and petitioner no. 3 shall meet the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner nos. 2 and 3 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 nos. 2 and 3 in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, partly allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

