

39 01.02.2023
(AD) Court No.29
(Allowed)

C.R.M. (A) 419 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **All Women P.S. Kharagpur** Case No.2 dated **07/01/2023** under Sections **498A/323/307/406/506/34** of the Indian Penal Code read with Sections **3 and 4** of the Dowry Prohibition Act.

And

In the matter of: **Abdul Khalid & Ors.**

....petitioners.

Mr. Navanil De
Mr. R. Chakraborty
Mr. Srinjan Ghosh
Mr. S. Dey
Mr. M. Mukherjee

...for the petitioners.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

...for the State.

Petitioners pray for anticipatory bail.

The police compliant was lodged after twenty three years of marriage.

The injury report of the de facto complainant does not suggest that the de facto complainant suffered any grievous hurt although the police complaint is one amputation.

The children born out of the wedlock are with the family of the husband.

The materials in the case diary apparently are *omnibus* and *general* in nature as against the petitioners.

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 nos. 1 and 4 will report before the Investigating Officer once a month till the conclusion of the investigation and petitioner nos.2,3 and 5 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) 419 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)