

13.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 643 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **832** of **2022** dated **11.09.2022** under Sections 498A/323/308/494/34 of the Indian Penal Code.

And

In Re : Jiarul @ Jiarul Sk. & Anr.

..... petitioners

Mr. Soupal Chatterjee

Ms. Sucheta Banerjee

....for the petitioners

Mr. Bidyut Kumar Roy

Ms. Sima Biswas

....for the State

The police complaint was lodged after seven months of the incident.

The marriage between the de-facto complainant and the petitioner no. 1 was solemnised 14 years ago.

There is no injury report in the case diary.

Considering the gravity of the offence and the involvement of the petitioners therein, 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/- 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. 1 (Jiarul @ Jiarul Sk.) shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner no. 2 (Rashida Bibi) shall cooperate with the Investigating Officer 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)