

23.02.2023

Sl.9

Court No.29

(AD)

(Allowed)

C.R.M. (A) 686 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Itahar** Police Station Case No.**358 of 2022** dated **19.06.2022** under Sections **498A/307/313/34** of the Indian Penal Code.

And

In the matter of: **Dulal Sarkar & Anr.**

....petitioners.

Mr. Jisan Iqbal Hossain

... for the petitioners.

Mr. Saswata Gopal Mukherji, Ld. PP

Mr. Aniket Mitra

...for the State.

Petitioners pray for anticipatory bail.

The victim recorded her statement under Section 164 of the Code of Criminal Procedure subsequent to the order dated February 17, 2023, where she claims that the matrimonial disputes between her and the petitioners stand resolved.

In view of such stand of the victim, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a month 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 686 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)