

02.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 920 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pukhuria** Police Station Case No. **462** of **2022** dated **03.11.2022** under Sections 448/323/376/511/34 of the Indian Penal Code, 1860.

And

In Re : Tamrej Ali & Anr.

..... petitioners

Ms. Minoti Gomes

Mr. M. Alam Sk.

Mr. Susmita Ghorai

....for the petitioners

Mr. Arijit Ganguly

Mr. Kaushik Kundu

....for the State

The police complaint was lodged pursuant to an application under Section 156(3) of the Code of Criminal Procedure.

Apparently, there are disputes relating to an immovable property. The husband was not accused by the de-facto complainant.

Materials in the case diary do not suggest requirement of custodial interrogation of 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/- 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 petitioners shall meet the Investigating Officer once a fortnight 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.)