

15.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1062 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Paikar** Police Station Case No. **23** of **2023** dated **25.01.2023** under Sections **498A/323/324/325/307/406/34** of the Indian Penal Code read with Sections **3/ 4** Dowry Prohibition Act.

And

In the matter of : Mosaraf Hossain @ Mosarop Hossain & anr.
..... petitioners

Mr. Bitasok Banerjee,
Mr. Abdus Salam
....for the petitioners

Mr. Saswata Gopal Mukherji, Ld. P.P.
Mr. Aniket Mitra
....for the State

Police filed chargesheet.

Petitioner no.1 is the husband. Petitioner no.2 is married sister-in-law.

There is an injury report of the de facto complainant.

In view of the involvement of the petitioner no.1 in the incident, we are unable to grant anticipatory bail to him. So far as the second petitioner is concerned we grant anticipatory bail to the petitioner no.2.

Accordingly, we direct that in the event of arrest the petitioner no.2, namely, Julekha Bibi shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand

only), 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, namely, Julekha Bibi shall cooperate with the investigation and on further condition that the petitioner no.2, namely, Julekha Bibi 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 no.2, namely, Julekha Bibi 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.)