

15.05.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1971 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chinsurah** Police Station Case No. **(FIR No.129/23)** dated **12.03.2023** under Sections **498A/406/506/34** of the Indian Penal Code adding Sections **325/307** of the Indian Penal Code and Section **3/4** of D.P. Act.

And

In the matter of: Samsujjaman alias Dr.
Shamsuzzaman Ahmed & ors.

..... petitioners

Mr. Utpal Manumdar,
Mr. Pushan Kar,
Ms. D. Chomal,
Ms. S. Ghosh

....for the petitioners

Md. Anwar Hossain,
Ms. Ratna Ghosh

....for the State

Husband was enlarged on bail by the jurisdictional Court.

There are statements recorded under Section 161 of the Criminal Procedure Code of two neighbours of the de facto complainant where, they do not identify the present petitioners as the perpetrators. There is a statement recorded under Section 164 of the Criminal Procedure Code of the de facto complainant.

Considering the materials in the case diary, gravity of the offence and involvement of the petitioners in the incident, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners will 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 condition that petitioner no.1, namely, Samsujjaman alias Dr. Shamsuzzaman Ahmed will report before the Investigating Officer once in a month till the conclusion of investigation and petitioner no.2, namely, Serina Khatun and petitioner no.3, namely, Ela Khatun alias Shahina Ahmed will cooperate with the Investigating Officer till the conclusion of the investigation and on further 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.)

