

16.05.2023

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Ct. No. 29

**KAUSHIK**

Allowed

**C.R.M.(A) 2010 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **313** of **2023** dated **18.03.2023** under Sections 498A/494/325/308/34 of the Indian Penal Code, 1860 read with Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Nasiruddin @ Sekh Nasiruddin & Anr.

..... petitioners

Mr. Sourav Mukherjee

....for the petitioners

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Partha Pratim Das

Ms. Eshita Dutta

....for the State

The police complaint was lodged 12 years after marriage.

There was an incident of assault, where the injury suffered was classified as simple.

The allegations as against the petitioners in respect of 498A of the Indian Penal Code, 1860, apparently, are omnibus and general in nature.

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 petitioner no. 1 (Nasiruddin @ Sekh Nasiruddin) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner no. 2 (Mehejabi Bibi @ Mahjabi Khatoon) 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.)**