

17.05.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 2019 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Krishnaganj** Police Station Case No. **107** of **2023** dated **25.03.2023** under Sections **498A/325/308/506 & 34** of the Indian Penal Code.

And

In the matter of: Purnima Biswas

..... petitioner

Mr. Sumanta Das

....for the petitioner

Mr. Debabrata Chatterjee,

Mr. Santanu Chatterjee

....for the State

The husband of the de facto complainant is not an accused in a police complaint *inter alia* under Section 498A of the Indian Penal Code, 1860.

The husband of the petitioner before us was enlarged on bail by the jurisdictional Court.

Apparently, an incident of assault took place among the family members where, the de facto complainant suffered injuries leading to bleeding.

The injury was not treated as grievous hurt in the injury report.

Considering the gravity of the offence and the involvement of the petitioner in the incident and considering the fact that

husband of the petitioner was enlarged on bail by the jurisdictional Court, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner will be released on bail upon furnishing a bond of Rs.10,000/-, 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 will cooperate with the Investigating Officer till the conclusion of the investigation and on further condition that the petitioner 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 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.)

