

19.05.2023
Sl.29
Court No.29
(AD)
(Allowed)

C.R.M. (A) 2098 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Duttapukur** Police Station Case No.**357 of 2023** dated **07.04.2023** under Sections **498A/376/511** of the Indian Penal Code.

And

In the matter of: **Gobinda Pal & Anr.**

....petitioners.

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... for the petitioners.

Mr. Aniket Mitra

...for the State.

Petitioners pray for anticipatory bail.

The police complaint, *inter alia*, under Section 498A of the Indian Penal Code, 1960 is not directed against the husband.

The victim is yet to record a statement under Section 164 of the Code of Criminal Procedure.

Materials presently available do not suggest requirement of custodial interrogation.

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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer as and when called for 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 2098 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)