

09.06.2023

Item no. 25

Ct.29

(Suvendu)

C.R.M. (A) No.2188 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Burwan Police Station Case No.116 of 2023 dated 03.04.2023 under Sections 498A/326/307/34 of the Indian Penal Code.

And

In the matter of:- Biswanath Bagdi & Anr.

..... Petitioner

Mr. Manas Kumar Das

Mr. Pritam Kumar Thakdar

.. for the petitioner

Mr. Angshuman Chakraborty

..for the State

1. Heard learned Counsel appearing for the parties.
2. The petitioners are the parents-in-law of the victim.
3. From the injury report submitted in the Case Diary by the learned counsel appearing for the State and the injury report annexed by the learned counsel appearing for the petitioners at pages 7 to 9 (annexure P 4) indicate that there has been freefight between the parties. It is alleged by the petitioners that the elder sister and associates of the victim came to their house and they started assaulting the members of the family of the petitioners in which daughter and son of the petitioners sustained injuries. Similarly, the victim also sustained injuries on her head which is an abrasion and other parts of the body. The injury reports and the medical examination reports of the victim nowhere show that she had sustained any grievous injury or she was hospitalized for more than

twenty days. Charge-sheet is stated to have been filed in the meantime.

4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, question of parity, circumstances involved that there is always a hope of compromise in matrimonial dispute, it is directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Kandi, District –Murshidabad, in connection with GR Case arising out of Police Station Case No. 116 of 2023 within 15 days from today. On appearance and application for bail, the petitioners shall be released on bail by the learned Additional Chief Judicial Magistrate, Kandi, District –Murshidabad on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **C.R.M. (A) 2188 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

