

21.06.2023
Sl. 178
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2313 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Lalgola** Police Station Case No. **227 of 2023** dated **04.06.2023** under Sections **498A/323/308/34** of the IPC and Sections **3/4** of the D.P. Act.

And

In the matter of: **Momin Sk.**

....petitioner.

Mr. Md. Mokaram Hossain
Mr. Sandipan Maity

...for the petitioner.

Mr. Saswata Gopal Mukherji, PP
Mr. Partha Pratim Das
Ms. Eshita Dutta

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner is the alleged husband of the informant victim.
Though marriage is denied by the petitioner, a marriage certificate issued by competent authority under Mohammedan Law is produced by learned Counsel for the State before us. There is no material on record to attract *prima facie* offence under Section 308 IPC.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner and substantial progress in the investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Lalgola P.S. case No. 227 of 2023 dated 04.06.2023.
4. The concerned Arresting Officer is hereby directed to act upon

the server copy of this order.

5. Within 3 weeks of the receipt of server copy or certified copy of this order, the petitioner is directed to appear before the I.O. alongwith a copy of such order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2313 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

