

21.06.2023
(D/L 183)
Ct. No.29
Allowed
(SKB)

CRM (A) 2318 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Asansol South P.S. Case No.119 of 2023 dated 18.04.2023 under Sections 498A/323/307/506 of the Indian Penal Code and read with Section 3/4 of Dowry Prohibition Act in CIS No.723 of 2023.

In the matter of : Md. Nadim Asif and others

... Petitioners

Mr. Kalyan Kumar Chakraborty,
Mr. Kashinath Bhattacharya,
Mr. Vivek Kumar Pandey

... for the petitioner

Mr. Debabrata Chatterjee, Id. A.P.P.
Mr. Mirza Firoj Ahemed Begg,
Mr. M. Sarkar

... for the State

1. Heard the learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the witnesses and the informant wife. We do not find any prima facie offence under Section 307 of the IPC against the petitioners among whom petitioner no.1 is the husband of the victim informant.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, completion of investigation, it is directed that each of the petitioners shall appear before the learned Chief Judicial Magistrate, Asansol in the G.R. case arising out of Asansol South P.S. Case No.119 of 2023 dated 18.04.2023 within 15 days

from today. On their appearance and application for bail each of them shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being CRM(A) 2318 of 2023 is disposed of.
6. The learned Additional chief Judicial Magistrate, Asansol is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)