

18.07.2023
(M/L 118)
Ct. No.29
Allowed
(SKB)

CRM (A) 2514 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ghatal P.S. Case No.49 of 2019 dated 21.02.2019 under 498A/323/325/354B/307/506/34 of the Indian Penal Code.

In the matter of : Mamoni Bibi @ Afroja Khatun Bibi
... Petitioner

Ms. Sananda Bhattacharyya
... for the petitioner

Mr. Saswata Gopal Mukerji, Id. PP
Mr. Aniket Mitra,
Ms. Jonaki Saha
... for the State

1. Heard the learned Counsel for the parties.
2. The application for anticipatory bail filed by the present petitioner was rejected by the learned Session Judge, Paschim Medinipur on the ground that custodial interrogation of the petitioner is necessary.
3. Charge-sheet have already been filed. There is no further requirement for custodial interrogation. The injury sustained by the victim is also not serious in nature to attract offence under Section 307 IPC prima facie.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, completion of investigation and the fact that there is always hope of compromise in matrimonial

disputes and such compromise is always in the interest of the family and society, it is directed that the petitioner shall surrender before the learned ACJM, Ghatal, Paschim Medinipur in GR case arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail, he shall be released on bail 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 CRM(A) 2514 of 2023 is disposed of.
7. The learned court below is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)