

19.07.2023
ML. 136
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2534 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Newtown** Police Station Case No. **138 of 2023** dated **04.05.2023** under Sections **498A/325/307/406/506/34** of the IPC corresponding to G.R. Case No. **979 of 2023**.

And

In the matter of: **Anupam Biswas & Ors.**

....petitioners.

Mr. Soewel Bhattacharjee

...for the petitioners.

Ms. Faria Hossain

Ms. Baisali Basu

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioners are stated to be members of the family of the in laws of the informant wife in respect of whom the concerned medical officer expressed his inability to issue any injury report because she was treated in the hospital on 30.04.2023 in the emergency ward and released after first aid and check up.
3. Such report produced by learned Counsel for the State in Court today be taken on record.
4. The allegation of throttling of her neck by the informant is specifically against her husband in her statement under Section 164 Cr.P.C. and husband of the informant is stated to have been released on anticipatory bail in the meantime.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of offence, 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 and substantial progress in investigation, it is directed that each

of the petitioner shall be released on bail by the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
7. Within 21 days from today each of the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2534 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

