

10.08.2023
(M/L 189)
Ct. No.29
Allowed
(SKB)

CRM (A) 2974 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with G.R. Case No.1016 of 2022 arising out of Salar P.S. Case No.133 of 2022 dated 16.06.2022 under Sections 498A/494/506 of the Indian Penal Code.

In the matter of : Md. Jilani @ Md Golam Jilani
@ Md. Golam Zilani

... Petitioner

Mr. Sumanta Chakraborty,
Ms. Nandita Baksi,
Ms. Kasturi Dutta

... for the petitioner

Mr. Pravash Bhattacharya,
Ms. Kum Kum Mitra

... for the State

Mr. Manas Kuimar Das

... for the defacto complainant

1. Heard the learned Counsel for the parties.
2. The petitioner being a muslim is alleged to have contracted second marriage and after such second marriage, he is not maintaining the present informant and her 9 year old son. For maintenance, the informant may approach the competent court for redressal of her grievance and second marriage among muslim does not also attract Section 494 IPC.
3. Charge-sheet is stated to have been filed.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and completion of investigation, it is directed

that the petitioner shall surrender before the learned ACJM, Kandi, Murshidabad in the G.R. Case No.1016 of 2022 arising out of the aforesaid P.S. case within 15 days from today. On his surrender and application for bail, he shall be released on bail by the aforesaid Court 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) 2974 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.)