

04.08.2023
Sl. No.7
akd
[ALLOWED]

C. R. M. (A) 2992 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 13.07.2023 in connection with Indus Police Station Case No. 40 of 2023 dated 22.02.2023 under Sections 498A/323/326/307/506/34 of the Indian Penal Code and Sections 3/4 of the Domestic Violence Act.

And

In Re: ***Sk. Tanjul @ Sk. Tanjul Haque & Ors.***

... .. Petitioners

Mr. Noortaj Ahammed Mallick

... .. for the petitioners

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor

Mr. Parthapratim Das

Mrs. Manasi Roy

... .. for the State

It is submitted on behalf of the petitioners that there was a matrimonial dispute. It is further submitted they have been falsely implicated. Accordingly, they pray for anticipatory bail.

Learned Advocate for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Allegations of torture are general and omnibus. Injuries are simple. Under such circumstances, we are of the opinion custodial interrogation of the petitioners may not be necessary in the facts of the present case and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners, namely ***(1) Sk. Tanjul @ Sk. Tanjul Haque, (2) Sk. Monjul @ Sk. Monjul Haque & (3) Sk. Sunjul @ Sk. Sunjul Haque***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as

laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)