

21.08.2023
(M/L 252)
Ct. No.29
Allowed
(SKB)

CRM (A) 3051 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Jagaddal P.S. Case No.446 of 2021 dated 13.06.2021 under Sections 448/323/326A/307/435/506/34 of the Indian Penal Code (G.R. Case No.4830 of 2021).

In the matter of : Tiya Das and another

... Petitioners

Ms. Madhuri Sinha

... for the petitioners

Mr. Anowar Hossain,
Ms. Ratna Ghosh

... for the State

1. Heard the learned Counsel for the parties.
2. The petitioner no.1 is the wife of the informant. The petitioner no.2 is the brother of petitioner no.1. Petitioner no.1 is alleged to have thrown acid on the informant. Such an allegation is not corroborated by the medical papers available in the C.D. The injury report also speaks of blunt force trauma which does not attract Section 307 IPC at least *prima facie*.
3. Investigation is stated to have been completed.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, 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 completion of investigation, it is directed that each of the petitioner shall surrender before the learned ACJM, Barrackpore, North 24 Parganas in connection with G.R. Case No.4830 of 2021 arising out of the aforesaid P.S. case within 15 days from today. On their surrender and application for bail, they 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) 3051 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.)