

16.
23-08-2023
(ct. no.29)
Sayandeep
Allowed

CRM(A) 3124 of 2023

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nazat Police Station** Case No. **105 of 2023** dated **18.05.2023** under Sections **498A/325/307/34** of the Indian Penal Code.

- A n d -

In the matter of : Mafijul Sekh @ Mofijul Shekh.

.... Petitioner.

Mr. Satadru Lahiri
Mr. Safdar Azam
Mr. Syed Wasim Faruque
Mr. Jyotirmoy Talukdar

... For the Petitioner.

Mr. Tanmoy Kr. Ghosh
Ms. Pritha Paul

... for the State.

1. Heard learned counsel for the parties.
2. The petitioner is the husband of the informant. From the injury report placed before us, we are of the view that offence under Section 307 IPC is not attracted at least prima facie.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioner, 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 substantial progress in investigation, it is directed that the petitioners 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.

4. The petitioners are directed to appear before the IO within 21 days from today along with a server copy or certified copy of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being CRM(A) 3124 of 2023 is disposed of.
7. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)