

371
ML
23-08-2023
(ct. no.29)
Sayandeep
Allowed

CRM(A) 3178 of 2023

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bharatpur Police Station** Case No. **177 of 2023** dated **20.05.2023** under Sections **498A/323/325/506/509/354A/376/511/307** of the Indian Penal Code.

- A n d -

In the matter of : Bajal Sk.

.... Petitioner.

Ms. Minoti Gomes
Md. Hafiz Ali

... For the Petitioner.

Mr. Bidyut Kr. Roy
Ms. Rita Datta

... for the State.

1. Heard learned counsel for the parties.
2. The petitioner is the father-in-law of the informant.
From the FIR and the statement of the victim recorded under Section 161 Cr.P.C., we do not find any offence under Section 376 r/w 511 IPC or 354A IPC 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 completion of investigation, it is directed

that the petitioners shall surrender before the learned ACJM, Kandi, Murshidabad within 15 days from today in the G.R. case arising out of aforesaid P.S. case. On his appearance and application for bail the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case together with a condition that the present accused petitioner shall appear in the trial Court on each date of hearing subject to the provisions of Section 376 Cr.P.C.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being CRM(A) 3178 of 2023 is disposed of.
6. The learned ACJM is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)