

29.08.2023

SL. 55

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 3432 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Haroa** Police Station Case No. **264 of 2023** dated **10.07.2023** under Sections **498A/376/325/406/34** of the IPC.

And

In the matter of: **Malay Das & Anr.**

....petitioners.

Mr. Kallol Kumar Basu

Md. jannat Ul Firdous

...for the petitioners.

Mr. Bidyut Kr. Roy

Ms. Sima Biswas

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioners are husband and mother-in-law of the victim wife. It is fairly submitted at the Bar that the allegation under Section 376 IPC by the victim is against the father-in-law, who is stated to be on regular bail. So far as the present petitioners are concerned there is omnibus allegation of harassment and torture after about nine years of marriage.
3. 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 substantial progress in investigation, it is directed that each of the petitioner 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 concerned Arresting Officer is hereby directed to act upon the server copy of this order.

5. Within 21 days from today each of the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3432 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

