

30.08.2023
SL. 62
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3511 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Mahisadal** Police Station Case No. **249 of 2023** dated **29.04.2023** under Sections **498A/304B** of the IPC.

And

In the matter of: **Koushik Bayal @ Boyal & Anr.**

....petitioners.

Mr. Suman De
Mr. Abhinaba Mukherjee

...for the petitioners.

Mr. S. G. Mukherji, PP
Mr. Aniket Mitra
Ms. Jonaki Saha

...for the State.

1. Heard learned Advocate for the petitioners and learned Advocate for the State at length.
2. The present petitioners are the brother-in-law and mother-in-law of the victim housewife respectively. From the materials collected so far in course of investigation, it reveals that it is the version of the witnesses as has been recorded under Section 161 Cr.P.C. that the present accused petitioners were involved in inflicting torture upon the victim housewife. So far as the involvement of the present accused petitioners are concerned it appears to us that the allegation of torture are basically omnibus in nature.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation 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 including the conditions that:

- i) The petitioner No. 1, Koushik Bayal @ Boyal is directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.
 - ii) The petitioner No. 2, Putul Boyal @ Putulrani Bayal is directed to appear before the I.O. for the purpose of investigation as and when required from sunrise to sunset till submission of F.F.
- 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) 3511 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

