

30.08.2023
SL. 69
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3518 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sabang** Police Station Case No. **140** of **2023** dated **09.05.2023** under Sections **498A/323/307/34** IPC.

And

In the matter of: **Pulak Maikap & Anr.**

....petitioners.

Mr. Malay Bhattacharyya
Mr. Subhrohjyoti Ghosh

...for the petitioners.

Mr. Saswata Gopal Mukherji, Ld. PP
Mr. Aniket Mitra
Ms. Jonaki Saha

...for the State.

1. Heard learned Counsel for the parties.
2. The present petitioners are the parents-in-law of the victim/housewife.
3. It is fairly submitted at the Bar that the injuries sustained by the victim/housewife are not so serious in order to attract the provision of Section 307 IPC at least *prima facie*.
4. From the statements of the witnesses as recorded under Section 161 Cr.P.C., we find that the allegation of torture as against the present petitioners upon the victim/housewife is basically omnibus in nature.
5. Regard being had to the facts and submission, 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 in the event of their arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in

the facts and circumstances of the case.

6. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3518 of 2023** is disposed of.
9. 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.)

