

30.08.2023

SL. 77

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 3526 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Mothabari** Police Station Case No. **146 of 2023** dated **21.05.2023** under Sections **498A/323/325/307** of the IPC and Section **4** of Muslim Women Protection Right on Marriage Act read with Sections **3/4** of D.P. Act.

And

In the matter of: **Mehetub Ali @ Mahatab Sk & Ors.**

....petitioners.

Mr. Musharraf Alam Sk.

Ms. Susmita Ghorai

...for the petitioners.

Mr. Pravash Bhattacharya

Mr. M. F. A. Begg

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioners are the members of the family of the in-laws of the victim/wife. There is allegation against the husband of the victim to the effect that he tried throttling her by a rope. Such allegation finds support from injury report, though there is no definite opinion about the nature of force applied.
3. The husband of the victim is not before us.
4. 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.
5. The concerned Arresting Officer is hereby directed to act upon

the server copy of this order.

6. 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.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3526 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

