

31.08.2023
D/L 23
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3548 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tehatta P. S. Case No.831 of 2022 dated 26.09.2022 under Sections 498A/325/307/34 of the Indian Penal Code.

In the matter of : Narayan Mandal
@ Narayan Chandra Mandal and others
... Petitioners

Mr. Asraf Mandal
... for the petitioners

Mr. Saswata Gopal Mukerji, Id. PP
Mr. Partha Pratim Das,
Mrs. Manasi Roy
... for the State

1. Heard learned Counsel for the parties.
2. The present petitioners are brother-in-law, sister-in-law and the husband of the victim wife. It is alleged that all of them conjointly tried to strangle the victim after obtaining bail in the previous case. The injury report is indicative of the fact that there is a liner abrasion on the neck of the victim.
3. However, the allegation and the injury cannot be connected at this stage without putting the witnesses to the witness box.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of injury as discussed supra, 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 aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
7. The applications being CRM(A) 3548 of 2023 is disposed of.
8. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)