

12.09.2023
(M/L 16)
Ct. No.29
Allowed
(SKB)

CRM (A) 3623 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Baduria P.S. Case No.95 dated 15.02.2023 under Sections 498A/406/376/511/34 of the IPC and Section 4 of the Dowry Prohibition Act (corresponding to G.R. Case No.634 of 2023).

In the matter of : Mijanur Mondal @ Mijanur Rahaman
... Petitioner

Mr. Ayan Basu,
Mr. Sourav Bera,
Mr. Sumit Routh

... for the petitioner

Mr. Saswata Gopal Mukerji, Id. PP
Mr. Partha Pratim Das,
Ms. Eshita Dutta

... for the State

1. Heard learned Counsel for the parties.
2. The present petitioner is the husband of the married sister-in-law of the informant. From the FIR and statement of the informant recorded under Section 164 Cr.P.C., it is found that there is only one line omnibus allegation against the present petitioner so far as offence under Section 376/511 IPC is concerned and that too such incident is alleged to have happened six months prior to lodging of the FIR.
3. Charge-sheet is filed.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, 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 completion of investigation, it is directed that the petitioner shall surrender before the learned ACJM, Basirhat, North 24 Parganas in the G.R. Case No.634 of 2023 arising out of the aforesaid P.S. case within 15 days from today. On his surrender and application for bail, he shall be released on bail by the aforesaid Court 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. The application being CRM(A) 3623 of 2023 is disposed of.
7. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)