

18.09.2023
ML. 102
Court No. 29
NKB

C.R.M. (A) 3709 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Joypur** Police Station Case No. **197** of **2023** dated **05.08.2023** under Sections 498A/328/307/34 of the Indian Penal Code and 3 & 4 of the D.P. Act (corresponding G.R. Case No.1851/2023).

And

In the matter of: **Mahadeb Bag & Ors.**

....petitioners.

Mr. Soumya Basu Roy Chowdhuri

...for the petitioners.

Mr. Sudip Kumar

...for the State.

1. Heard learned Advocate for the petitioners and the learned Advocate for the State.
2. The present petitioners are the parents-in-law and the other family members of the in-laws of the victim. On perusal of the statement of the victim as recorded under Section 164 Cr.P.C., it reveals that allegation of physical torture upon her is basically against her husband who is not before us. Admittedly, there are some allegations against the present petitioners but those are at the fringe.
3. 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 substantial progress in investigation, it is directed that the petitioners 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.

4. 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.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3709 of 2023** is disposed of.
7. 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.)

