

03.10.2023
SL. 47
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3978 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Krishnagar Kotwali** Police Station Case No. **696 of 2023** dated **21.07.2023** under Sections **498A/325/307/34** of the IPC.

And

In the matter of: **Mithun Halder**

....petitioner.

Mr. Snehansu Majumder

...for the petitioner.

Mr. Imran Ali

Ms. Debjani Sahu

...for the State.

1. Heard learned Counsel for both the parties.
2. The present petitioner is husband of the informant/wife. On perusal of the injury report of the victim it reveals that she has suffered abrasion over her both elbows. Though there are other materials with regard to the alleged torture upon the victim by the present petitioner but those are omnibus in nature.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, 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 the petitioner shall be released on bail by the Arresting Officer in the event of his 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 concerned Arresting Officer is hereby directed to act upon the server copy of this order.

5. Within 21 days from today 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.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM (A) 3978 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

