

04.10.2023
D/L 58
Ct. No.29
(Allowed)
(SKB)

CRM (A) 4054 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kaliachak P. S. Case No.1325 of 2022 dated 17.11.2022 under Sections 498A/323/308/506/34 of the Indian Penal Code and read with Sections 3 and 4 of the Dowry Prohibition Act (G.R. Case No.7188 of 2022).

In the matter of : Golam Rabbani @ Tony
... Petitioner

Mr. Kalidas Saha
... for the petitioner

Mr. Pravas Bhattacharya,
Ms. Kum Kum Mitra
... for the State

1. Heard learned advocates for the parties.
2. The present petitioner is the husband of the victim wife.
From the injury report of the victim, we find that the treating doctor of the victim on medical examination found blunt forced trauma over the neck and abdomen of the victim lady. There are some omnibus allegations in the CD by the witnesses as against the present petitioner but in our considered view, those are at the fringe.
3. Charge-sheet is stated to have been filed.
4. 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 completion of investigation, it is directed that the petitioner shall surrender before the learned CJM, Malda in the G.R. Case No.7188 of 2022 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) 4054 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.)