

05.10.2023
D/L 18
Ct. No.29
(Allowed)
(SKB)

CRM (A) 4064 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.945 of 2023 dated 22.07.2023 under Sections 498A/323/307/34 of the Indian Penal Code (G.R. Case No.4830 of 2023).

In the matter of : Md. Sadikul Islam

... Petitioner

Mr. Sujoy Sarkar,
Mr. Mushrraff Alam Sk
Mr. Rahul Chachan

... for the petitioner

Mr. Sudip Kumar

... for the State

1. Heard learned counsel for the parties.
2. The petitioner is the husband of the victim wife who is the informant in the case. It is fairly submitted at the Bar that the injury suffered on her head is opined to be simple in nature. Admittedly, there are some incriminating materials as against the present petitioner regarding torture upon the victim but those are, *prima facie*, 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 G.R. Case No.4830 of 2023 arising out of aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The applications being CRM(A) 4064 of 2023 is disposed of.
7. 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.)