

06.10.2023
SL. 22
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 4078 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Dhubulia** Police Station Case No. **378 of 2023** dated **02.08.2023** under Sections **498A/323/307/34** of the IPC

And

In the matter of: **Rakibul Shaikh @ Sekh @ Sk & Anr.**

....petitioners.

Mr. Sumanta Das

...for the petitioners.

Mr. Debabrata Chatterjee

Mr. Santanu Chatterjee

...for the State.

1. Heard learned Counsel for both the parties.
2. The present petitioner No. 1 is the husband and the petitioner No. 2 is the father-in-law of the victim lady.
3. On perusal of the injury report of the victim as available in the C.D., we find that the patient has not suffered any burn injury though smell of kerosene like substance was coming from the patient person. It is submitted on behalf of the petitioners that such kerosene oil has been poured by the victim lady by herself on her person.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, 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 each of the petitioner 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.
5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.

6. Within 21 days from today each of 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.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being CRM (A) 4078 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

