

11.10.2023
D/L 24
Ct. No.29
(Allowed)
(SKB)

CRM (A) 4219 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.1115 of 2023 dated 18.08.2023 under Sections 498A/307/323/34 of the Indian Penal Code and Section 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019 (G.R. Case No.5653 of 2023).

In the matter of : Hasib Ahmed

... Petitioner

Mr. Sagar Saha,
Mr. Nurnobi Seikh

... for the petitioner

Mr. Pravas Bhattacharya,
Mr. Mirza Firoj Ahmed Begg

... for the State

1. Heard learned counsel for the parties.
2. The petitioner is the husband of the informant. It is fairly submitted at the Bar that no injury has been sustained by the victim wife though there is allegation under Section 307 IPC.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, quantum of punishment prescribed under Section 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019 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.5653 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) 4219 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.
8. The report filed on behalf of the State is taken on record.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)