

01.12.2023
tkm/ct 28
sl no.69

C.R.M. (A) 4513 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chanchal P.S case no. 254 of 2023 dated 4.3.2023 under sections 498A/306/34 IPC
And

Allowed

In Re : Arjaul @ Arjaul Haque & Ors. petitioners

Mr. Kalidas Saha

..... for the petitioners

Mr. Pravash Bhattacharya

Ms. Kum Kum Mitra

..... for the State

1. Petitioners submit that they are the in-laws of the victim housewife. It is contended incident occurred 12 years after marriage. They pray for bail.
2. Learned lawyer for the State submits victim housewife was tortured and committed suicide at the matrimonial home.
3. We have considered the materials on record. Incident occurred 12 years after marriage. Statutory presumptions under sections 113A and 113B of the Evidence Act are not attracted to the facts of the case. Allegations are general and omnibus. Petitioners are the in-laws of the victim housewife. Investigation is complete.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.
5. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.
6. Petitioners shall appear before the court below and pray for regular bail within four weeks from date.
7. The application being CRM (A) 4513 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)