

09.10.2023
as/tkm/ct 28
spl no. 24

C.R.M. (A) 4639 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Durgapur Women P.S case no. 42 of 2023 dated 19.7.2023 under sections 498A/307/506/323/325/34 IPC read with sections 3/4 of the DP Act
And

Allowed

In Re : Tapas Kr. Nag @ Tapas Kumar Nag & Ors.

..... petitioners

Mr. Sanat Kr. Das
Mr. Sujan Chatterjee
Mr. S Sinha

..... for the petitioners

Mr. Pravas Bhattacharya
Mr. MFA Begg

..... for the State

1. Petitioners submit they have been falsely implicated owing to a matrimonial dispute. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Allegations of torture are general and omnibus. Injury is simple in nature.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners, however, subject to conditions.
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 and on further condition that petitioner no. 1 while on bail shall meet investigating officer once in a week until further orders.

6. Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

7. The application being CRM (A) 4639 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)