

29.11.2023
tkm/ct 28
spl no. 56

C.R.M. (A) 4747 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Rahara P.S case no. 369 of 2023 dated 6.10.2023 under sections 498A/306/34 IPC and 4 of DP Act
And

Allowed

In Re : Debasish Mondal & Ors. petitioners

Mr. D Kar

..... for the petitioners

Ms. B K Roy

Ms. Rita Datta

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Incident occurred 16 years after marriage. Allegations of torture are general and omnibus. Statutory presumptions under section 113A and 113B of the Evidence Act are not attracted in the facts of the case and petitioners are entitled to grant anticipatory bail.
3. 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.
4. Petitioners shall appear before the court below and pray for regular bail within four weeks from date.
5. The application being CRM (A) 4747 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)