

01.12.2023
tkm/ct 28
sl no.88

C.R.M. (A) 5110 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Krishnagar Kotwali P.S case no. 524 of 2023 dated 3.6.2023 under sections 498A/313/34 IPC

And

Allowed

In Re : Sabur Sekh @Sk

..... petitioner

Mr. S Das

..... for the petitioner

Mr. B K Roy

Mr. Ashok Das

..... for the State

1. Petitioner submits allegation of torture and miscarriage are out and out false. He prays for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record including the medical certificate. It appears that there was no forcible miscarriage.
4. In view of the aforesaid circumstances and as allegations of torture are general and omnibus, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- 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. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.
7. The application being CRM (A) 5110 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)