

06.03.2024
Item No.33
Ct. No. 29
CHC
Allowed

C.R.M.(A) 565 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No. **282** of **2023** dated **27.09.2023** under Sections **498A/376/511/34** of the Indian Penal Code.

And

In the matter of : Monotosh Debnath

..... petitioner

Mr. Bibaswan Bhattacharya,
Mr. Asraf Mandal,
Mr. G. C. Baidy

....for the petitioner

Mrs. Faria Hossain,
Mr. Asif Dewan

....for the State

Petitioner prays for anticipatory bail.

Statement recorded under Section 164 of the Criminal Procedure Code implicates the husband in an incident of assault. Husband along with other in-laws were granted anticipatory bail by the jurisdictional Court.

Petitioner before us is the brother in law of the de facto complainant.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), 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 the petitioner will report before the Investigating Officer once in a month till the conclusion of investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 565 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)