

06.03.2024

DL.18

Court No.29

(AD)

(Allowed)

C.R.M. (A) 786 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Monteswar** Police Station Case No.**534 of 2023** dated **22.09.2023** under Sections **376/376D/376E/506/498A/406/34** of the Indian Penal Code, 1860. (G.R. Case No.2241 of 2023).

And

In the matter of: **Kulsuma Begum @ Kulsanbegam Seikh & Anr.**

....petitioners.

Mr. Atis Kumar Biswas
Mr. Sujay Kumar Halder
Mr. Amit Singh

...for the petitioners.

Mr. Navanil De

... for the State.

Affidavit of service filed in Court be taken on record.

None appears for the de facto complainant.

Petitioners before us are the parents-in-law of the de facto complainant.

Co-accuseds were granted anticipatory bail on February 1, 2024 passed in CRM (A) 5383 of 2023 with CRM (A) 5409 of 2023.

We perused the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

We also perused the order dated February 1, 2024 passed in CRM (A) 5383 of 2023 with CRM (A) 5409 of 2023.

Apparently, there are disputes between the de facto complainant and her husband.

Husband was granted anticipatory bail by the jurisdictional Court.

Victim refused to undergo any medical examination.

Apparently, the victim took away her belongings from her matrimonial home. There is also a document to such effect in the case diary.

Mediators sought to intervene and mediate the matrimonial

disputes. They were also roped in the police complaint. They were enlarged on anticipatory bail by the order dated February 1, 2024 passed in CRM (A) 5383 of 2023 with CRM (A) 5409 of 2023.

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

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner no.2 will report before the Investigating Officer once a month till the conclusion of the investigation and petitioner no.1 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 786 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)