

27.03.2024
17
0Ct. No. 29
S.D.
Allowed

C.R.M.(A) 925 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdah** Police Station Case No. **880** of **2023** dated **15.12.2023** under Section **498(A)/323/325/313/34** of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate, Kalyani, District-Nadia.
And

In Re : **Shefali @ Sefali Roy & Ors.** petitioners
Mr. Shibaji Kumar Das
Ms. Bushra Feroz
...for the petitioners
Mr. Pravash Bhattacharyya
Ms. Jonaki Saha
...for the State
Mr. Sananda Bhattacharyya
...for the defacto-complainant

In a police case involved *inter alia* under Section 498A of the Indian Penal Code, 1860, husband is not an accused.

Apparently, there are disputes with regard to shares of immovable property.

The documents about abortion relates to August 23, 2023.

As noted above, the husband is not an accused in the case.

Possibility of false implication due to property disputes remains.

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/- 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. The petitioner nos. 4, 5, 6, 7, 8 & 9 will report before the Investigating Officer once a fortnight till the conclusion of the investigation. The petitioner nos. 1, 2, 3 and 10 will cooperate with the investigation till the conclusion of the investigation. 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)