

08.07.2024

Court No.29

Item No. 04

Allowed

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CRM (A) 1965 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Beldanga Police Station Case No. 310 of 2024 dated 23.04.2024 corresponding to G.R. Case No. 2050 of 2024 under Sections 498A/307 of the Indian Penal Code.

And

In Re: Md. Jahangir Hossain @ Jahangir Hossain & Anr.

Petitioners

Ms. Minoti Gomes

For the Petitioners

Mr. Arijit Ganguly

Mr. Debarshi Brahma

For the State

Mr. Partha Sarathi Mondal

For the De-facto Complainant

Mr. Sauradeep Dutta

For the De-facto Complainant
(appointed by Legal Aid)

1. The parents-in-law of the victim is the applicant.
2. Learned counsel for the victim has opposed the prayer for anticipatory bail.
3. Learned counsel for the State has produced the case diary relying upon the statement of the victim under Section 164 Cr.P.C.
4. Considering the materials available in the case diary and the nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the fact that the principal allegation is against the husband, we are of the view that custodial interrogation of the petitioners is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Md. Jahangir Hossain @ Jahangir Hossian and Rubina Bibi** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. **The petitioner no. 1** shall meet the Investigating Officer once in a week or as and when called for till the submission of the final report, **the petitioner no. 2** shall cooperate with the investigation till the submission of the final report and on further condition that the petitioners shall appear before the learned Chief Judicial Magistrate, Berhampore, Murshidabad two weeks from date in connection with G.R. Case No. 2050 of 2024. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)

