

Court No. 29
(266041)

CRM (A) 2491 of 2024

29.07.2024
(AD 18)
(S. Banerjee)

In re: ^e An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagrik Suraksha Sanhita in connection with Chanditala Police Station Case No. 364 of 2024 dated 18.05.2024 under Sections 498A/302/34 of the Indian Penal Code.

(Allowed)

And

In the matter of: Kamaluddin Mallik
...petitioner

Mr. Moloy Bhattacharyya
Mr. Subhrajyoti Ghosh

... for the petitioner

Mr. Sarayati Dutta
Mr. Aslam Parvez

... for the State

1. The petitioner is the brother-in-law of the victim. It is submitted that the husband of the victim is presently in custody and the petitioner is in no way connected with the alleged offence.
2. Learned counsel for the State has produced the case diary and opposes the prayer for anticipatory bail.
3. Considering the nature and extent of involvement of the petitioner in the commission of the alleged offence, having regard to the fact that the allegations are omnibus and general in nature insofar as the present petitioner and considering the fact that charge-sheet has been filed in respect of the concerned police case, we are inclined to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest, the petitioner 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, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner shall meet the IO once in a week or as and when required. The petitioner shall not leave the jurisdiction of the Chanditala Police Station till the submission of the final report.
5. It is further directed that the present petitioner shall appear before the learned Additional Chief Judicial Magistrate, Serampore, Hooghly within two weeks from date and pray for regular bail.
6. It is further directed 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 presence of the petitioner in court including canceling the anticipatory bail granted without further reference to this court.
7. Accordingly, the application for anticipatory bail is allowed.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Uday Kumar, J.)

(Soumen Sen, J.)