

04.01.2024

83
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 4509 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanditala** Police Station Case No. **528** of **2023** dated **02.07.2023** under Sections 498A/307/406 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act 1961.

And

In Re : Kahinoor Begam @ Kohinur Begam
..... petitioner

Mr. Avik Ghatak
Mr. Fahad Imam
....for the petitioner

Mr. Pravas Bhattacharya
Mr. Mirza firoj Ahmed Begg
....for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023 by the Coordinate Bench.

By such order dated October 16, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We perused the materials in the case diary.

All other co-accused were enlarged on bail by the Jurisdictional Court.

The allegation as against the petitioner appears to be an omnibus and general in nature. Injury sustained was not classified as grievous.

In such circumstances, we confirm the interim order dated October 16, 2023.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 cooperate with the Investigating Officer till the conclusion of the 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 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.)

