

04.01.2024

Serial no.70

Anticipatory Bail

[Allowed]

Dd

CRM (A) 4487 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **685** of **2023** dated **28.08.2023** under Sections **498A/306/34** of the Indian Penal Code, 1860.*

-And-

In the matter of : **Chand Ghosh & Anr.**

... .. Petitioners

*Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Ms. Roma Roy, Advocates*

... .. For the Petitioners

*Mr. Bidyut Kr. Roy,
Ms. Sima Biswas, Advocate*

... ..For the State

Petition is taken up for consideration subsequent to order dated October 16, 2023.

By such order, interim anticipatory bail was granted by the co-ordinate Bench.

It is submitted at the Bar that the co-ordinate Bench did not consider the materials in the case diary and passed such order in view of the ensuing Puja vacation.

We perused the materials in the case diary. We find that police filed charge sheet.

The husband was arrested and is still in custody.

Considering the fact that police filed charge sheet, custodial interrogation of the petitioners before us is not felt.

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

Consequently, 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 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 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 4487 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)