

03.10.2024

Court No.29

Item No. 57

Allowed

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CRM (A) 3559 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to 482 of the Bharatiya Nyaya Sanhita, 2023 in connection with Ganga Sagar Coastal Police Station Case No. 11 of 2024 dated 24.02.2024 corresponding to G,R Case No. 343 of 2024 under Sections 498A/313/406/506 of the Indian Penal Code.

And

In Re: **Dhruba Saha & Anr.**

Petitioners

Mr. Soumik Ganguli

Ms. Sharmistha Das

For the Petitioners

Mr. Anowar Hossain

Ms. Puspita Saha

For the State

1. Heard the learned counsel appearing for the parties.
2. The complainant is the daughter-in-law.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the medical report of the Sagar Rural Hospital which has taken into consideration the charges leveled under Section 313 of the Indian Penal Code and the medical document does not prima facie show any force of abortion and on an undertaking of the petitioner that they shall return all the stridhan within one week from date, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Dhruba Saha and Pratima Saha** 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, corresponding to Section 482(2) of the BNSS, 2023. The petitioner no. 1 shall meet the Investigating Officer once in a fortnight till the submission of the final report and 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 Additional Chief Judicial Magistrate, Kakdwip,** on or before **8th October, 2024** from date in connection with **G.R Case No. 343 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.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
6. 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)