

22.01.2024
Court No.29
Item No. 112
AP

CRM (A) 4827 of 2023

In re : An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kalyani** Police Station Case No.**591** of **2023** dated **12th September, 2023** under Sections **498A/307/406/34** of IPC.

-And-

In the matter of : **Pulak Ghosh and Anr.**

... ..Petitioners.

Mr. Shibaji Kumar Das

... .. For the Petitioners.

Mr. Imran Ali

Mr. Debjani Sahu

... ..For the State

The husband surrendered before the jurisdictional Court.

In such circumstances, CRM (A) 4827 of 2023 is dismissed as infructuous so far as petitioner No.1 (Pulak Ghosh) is concerned.

So far as petitioner No.2 (Mithu Ghosh) is concerned, we find from the case diary that the injury report of the victim implicates both the petitioners in an incident of assault of attempting to murder the de facto complainant by smoothing.

The de facto complainant recorded her statement under section 161 of the CrPC, where she speaks of mis-behavior, torture and abuses being hurled against her by the petitioners.

Neither the de facto complainant nor the neighbours of the de facto complainant in their statement implicating any of the petitioners on account of torture meted out for dowry.

In such circumstances, considering the materials on record and the complicity of the petitioner No.2 and her age, we grant anticipatory bail to her.

Accordingly, we direct that in the event of arrest, the petitioner No.2 shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner No.2 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner No.2 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 petitioner No.2 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner No.2 is **allowed.**

Hence, the application for anticipatory bail is **disposed of.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)