

10.01.2024
Item No.204
Ct. No. 29
AB
Allowed

C.R.M.(A) 4854 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kharagpur Local** Police Station Case No.**697** of **2023** dated **28.08.2023** under Sections **498A/323/313/506/34** of the Indian Penal Code, 1860 read with Sections 3 /4 of the D. P. Act

And

In the matter of : **Arpan Roy & Others**

.....Petitioners.

Mr. Abhra Mukherjee,
Mr. Sauradeep Duttafor the Petitioners.

Mr. Sudip Konarfor the State.

Petition is taken up for consideration subsequent to the order dated October 17, 2023.

By such order, coordinate Bench granted interim anticipatory bail to the petitioners.

It is submitted at the bar that, such order was passed without consulting the materials in the Case Diary and in view of the ensuing Puja Vacation.

We have perused the materials in the case diary.

Apparently, the present police complaint was lodged subsequent to the husband of the petitioner initiating proceedings for dissolution of marriage.

Material in the case diary does not suggest miscarriage. Some of the petitioners being falsely implicated remains.

In such circumstances, we confirm the interim order dated October 17, 2023.

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 petitioner nos.1, 2 and 6 will report before the Investigating Officer once in a month till the conclusion of investigation and petitioner nos.3, 4 and 5 will cooperate with the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

CRM (A) 4854 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)