

10.01.2024
Item No.272 (ML)
Ct. No. 29
S.De

C.R.M.(A) 4941 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Domkal** Police Station Case No. **588** of **2023** dated **31.08.2023** under Sections **498A/306/34** of the Indian Penal Code, 1860.

And

In the matter of : Aoyal Sekh @ Abdul Awal Sk. @ Suklal @ Aoyal Sekh & Anr.

..... petitioners

Mr. Kingsuk Mondal,

....for the petitioners

Mr. B.K. Roy,

Ms. Puspita Saha,

....for the State

The police case is dated August 31, 2023.

Police filed charge-sheet. There are materials in the case diary implicating the petitioner no.1 (Aoyal Sekh @ Abdul Awal Sk. @ Suklal @ Aoyal Sekh) who is the husband.

In such circumstances, we are unable to grant anticipatory bail to the petitioner no.1 (Aoyal Sekh @ Abdul Awal Sk. @ Suklal @ Aoyal Sekh).

In so far as the petitioner no.2 (Parvina Bibi) is concerned, since the police filed charge-sheet, and given her relation with the victim, we grant her anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner no. 2 (Parvina Bibi) 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 also be 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 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.

This application for anticipatory bail is, thus, allowed in respect of petitioner no.2 (Parvina Bibi).

CRM(A) 4941 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)