

22.01.2024

Serial no. 107 & 123

Anticipatory Bail

[Partly Allowed]

Dd

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **1322** of **2023** dated **12.09.2023** under Sections **498A/325/34** of the Indian Penal Code, 1860.
(G.R. Case No. 4311 / 2023)*

CRM (A) 4645 of 2023

In the matter of : **Ejaz Ahamed @ Ijaj Ahammed & Ors.**

... .. Petitioners
with

CRM (A) 4977 of 2023

In the matter of : **Jahinur Bibi**

... .. Petitioner

*Mr. Manjit Singh,
Mr. Syed Nasim Aejaaz,
Mr. Biswajit Mal, Advocates
... .. For the Petitioners*

*Md. Rafiqul Islam,
Mr. Shasanka Sekher Saha,, Advocate
... ..For the State in CRM (A) 4645 of 2023*

*Mr. Tanmoy Kr. Ghosh,
Ms. Sonali Bhar, Advocates
... .. For the State in CRM (A) 4977 of 2023*

Two applications for anticipatory bail are taken up for analogous consideration as they emanate out of the same police case.

Police complaint was lodged within one year of marriage.

Husband of the de facto complainant assaulted the de facto complainant. Husband is in custody.

In such circumstances CRM (A) 4645 of 2023 is dismissed as infructuous so far as the petitioner no. 1 (Ejaz Ahamed @ Ijaj Ahammed) is concerned.

So far as the other petitioners in the two applications are concerned, we find from the materials in the case diary that the allegations as against them are omnibus and general in nature.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioner no.2 (Senehar Khatun), petitioner no. 3 (Rexona Khatun) in CRM (A) 4645 of 2023 and petitioner Jahinur Bibi in CRM (A) of 4977 of 2023 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 cooperate with the investigation till its completion and on further condition that the such 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 such petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner no.2 (Senehar Khatun), petitioner no. 3 (Rexona Khatun) in CRM (A) 4645 of 2023 and petitioner Jahinur Bibi in CRM (A) of 4977 of 2023 is **allowed**.

CRM (A) 4645 of 2023 and CRM (A) 4977 of 2023 are **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)