

18.11.2024

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Allowed

C.R.M. (A) No. 3949 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Bolpur Police Station Case No. 180 of 2024 dated 15.04.2024 under Sections 498A/323/325/313/34 of the Indian Penal Code.

And

In Re : Laxmi Das @ Lakshmi Das & Anr. petitioners

Mr. Sujoy Sarkar
Ms. Sneha Srivastava

.....for the petitioners

Ms. Sonali Das
Mr. Atulya Sinha

....for the State

1. Learned Counsel for the petitioners submits allegations of physical torture and miscarriage are false. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail and submits petitioners assaulted the victim resulting in miscarriage.

3. We have gone through the medical papers. Though victim claimed there was miscarriage due to assault no bleeding was noted. On the other hand it is noted victim earlier had ectopic pregnancy. Allegation of miscarriage owing to assault requires to be assessed in the light of the aforesaid circumstances at the appropriate stage of the proceeding.

Petitioners are in-laws of the victim lady. Other allegations against them are general and omnibus. Hence, we are inclined to grant anticipatory bail to the petitioners.

4. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that they shall appear before the court below and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)