

29.11.2024

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Allowed

C.R.M. (A) No. 4151 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kaliachak Police Station Case No. 1137 of 2024 dated 24.07.2024 under Sections 498A/323/325 of the Indian Penal Code read with Section 4 of Muslim Protection Rights Act.

And

In Re : Mortuj Ali @ Martuj Ali petitioner

Ms. Riya Das

.....for the petitioner

Mr. Partho Protim Das

Mr. Raju Mondal

..... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioner is the husband of the victim lady. Allegations of torture are general and omnibus. No medical report with regard to physical assault is placed before us. Accordingly, we are inclined to grant anticipatory bail to the petitioner, however, subject to condition.

3. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, 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 he shall appear before the jurisdictional court

and pray for regular bail within a period of four weeks from date and on further condition that he shall meet the investigating officer once in a week until further orders.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)