

01.02.2024
ML.660 &
686
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5383 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Monteswar** Police Station Case No.**534 of 2023** dated **22.09.2023** under Sections **376/376D/376E/506/498A/406/34** of the Indian Penal Code. (G.R. Case No.2241 of 2023).

And

In the matter of: **Mithun Seikh @ Mithun Sekh**

....petitioner.

With

C.R.M. (A) 5409 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Monteswar** Police Station Case No.**534 of 2023** dated **22.09.2023** under Sections **376/376D/376E/506/498A/406/34** of the Indian Penal Code. (G.R. Case No.2241 of 2023).

And

In the matter of: **Sabir Sekh @ Sabir Sk.**

....petitioner.

Mr. Atis Kumar Biswas
Mr. Sujay Kumar Halder
Ms. Jyoti Agarwal

...for the petitioners.

Mr. Imran Ali
Mr. Arup Sarkar

... for the State.

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

Affidavit of service filed in Court be taken on record.

None appears on behalf of the victim.

A zero First Information Report was registered in Delhi. It was, thereafter, transmitted to the jurisdictional police station for investigation.

Victim recorded statement under Section 164 of the Code of

Criminal Procedure.

Apparently, the victim married her husband.

We are informed that the husband was granted bail by the jurisdictional Court.

Petitioners before us are said to be mediators in the reconciliation process.

Apparently, there were disputes and differences between the victim and her husband.

Apparently, victim took away all her belongings from her matrimonial home. There is a document to such effect annexed to the application for anticipatory bail.

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

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a month till the conclusion of 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 5383 of 2023 and **C.R.M. (A) 5409 of 2023** is,
thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)