

10.12.2024
tkm/ct 28
sl no. 41

C.R.M. (A) 4238 of 2024

In Re : An application for anticipatory bail under section 482 of BNSS 2023 in connection with Haringhata P.S Case no. 599 of 2024 dated 13.11.2024 under sections 498A/313/494 IPC read with sections 115(2)/3(5) of BNS 2023

Allowed

and

In Re : Kamal Hasan Mondal @ Kamal Hassan Mondal @ Mandal & Ors.
..... petitioners

Mr. S K Das
Mr. D Sarkar
Ms. Debalina De

..... for the petitioners

Mr. Joydeep Roy
Ms. Piya Goswami

..... for the State

1. Petitioner no. 1 is the husband and petitioner nos. 2 to 5 are in-laws of the victim lady and petitioner no. 6 is alleged to have married petitioner no. 1. She suffered from gynecological problems and a child had to be aborted. Abortion due to assault is out and out false. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer.
3. We have considered the materials on record. In 2019 victim lady suffered an abortion. No contemporaneous complaint alleging assault resulting in abortion is placed on record. On the other hand, petitioners contend abortion was due to gynecological problems. Subsequent allegations of torture and assault are general and omnibus. They are not supported by medical evidence.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

5. 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 subject to the conditions as laid down under section 482(2) of BNSS 2023.
6. Petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.
7. The application being CRM (A) 4238 of 2024 is disposed of.

(Gaurang Kanth , J.)

(Joymalya Bagchi, J.)