

02.02.2024

Serial no. 61

Anticipatory Bail

[Allowed]

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CRM (A) 5443 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Khanakul** Police Station Case No. **680** of **2023** dated **1st November, 2023** under Sections **498A/406** of the Indian Penal Code, 1860.*

(G.R. Case No. 1657/2023)

-And-

In the matter of : **Bappa Patra & Ors.**

... .. **Petitioners**

Sk. Md. Ashiq Iquebal,

Mr. Rameswar Sinha, Advocates

... .. For the Petitioners

Mr. Ranadeb Sengupta, Advocate

... ..For the State

Aunt of the husband of the de facto complainant recorded a statement under Section 161 of the Criminal Procedure Code where, she states about the illness of the de facto complainant and the fact that the husband of the de facto complainant entered into an extramarital relationship.

Materials in the case diary, at this stage, do not suggest requirement of custodial interrogation of the petitioners.

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 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 petitioner nos. 1 and 3 shall report

before the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 2 shall cooperate with the investigation till its completion and on further 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 5443 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)