

06.02.2024
Item No.69
Ct. No. 29
CHC
Allowed

C.R.M.(A) 5496 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **221/2022** dated **01.06.2022** under Sections **498A/324/325/308/34** of the Indian Penal Code.

And

In the matter of : Saleuddin Ahammad @ Kamaluddin
..... petitioner

Mr. Arup Kumar Bhowmick
....for the petitioner

Mr. Anand Keshari
....for the State

Petitioner prays for anticipatory bail.

Police filed charge-sheet.

Police complaint was lodged 18 years after marriage.

Injury report suggests that, there was an accidental fall in the bathroom leading injury on left dorsum of hand. There is also a noting that, there was alleged physical assault by the husband.

In view of the length of marriage and the contradictory noting in the same injury report and police filing charge-sheet, we deem it appropriate to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), 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 condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 5496 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)