

07.02.2024

Serial no. 42

Anticipatory Bail

[Partly Allowed]

Dd

CRM (A) 5592 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Naihati** Police Station Case No. **293** of **2023** dated **21.09.2023** under Sections **498A/323/325/406/417/506/34** of the Indian Penal Code, 1860 and Sections 3/ 4 DP Act. (G.R. Case No. 7922/2023)*

-And-

In the matter of : **Jabarani Ghosh & Anr.**

... .. Petitioners

Mr. Pratip Kr. Chatterjee, Advocate

... .. For the Petitioners

Mr. Bitasak Banerjee, Advocate

... ..For the State

Court is informed that the petitioner no. 2 expired.

In such circumstances, CRM (A) 5592 of 2023 is dismissed as infructuous so far as the petitioner no. 2 is concerned.

Police complaint was lodged 29 years after marriage.

Materials in the case diary does not suggest requirement of custodial interrogation of Petitioner no. 1 (Jabarani Ghosh)

In such circumstances, we grant anticipatory bail to the Petitioner no. 1 (Jabarani Ghosh).

Accordingly, we direct that in the event of arrest the Petitioner no. 1 (Jabarani Ghosh) 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 Petitioner no. 1 (Jabarani Ghosh) shall cooperate with

the investigation till its completion and on further condition that the Petitioner no. 1 (Jabarani Ghosh) 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 no. 1 (Jabarani Ghosh) in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of Petitioner no. 1 (Jabarani Ghosh) is **allowed**.

CRM (A) 5592 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)