

06.02.2024

101

Ct. No. 29

S.D.

C.R.M.(A) 5579 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **1049 of 2023** dated **11.09.2023** under Section **498A/323/325/354/307** of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.

And

In Re : Sk. Halim Ali @ Sekh Halim Ali & Ors.

..... petitioners

Mr. Abhinaba Mukherjee

...for the petitioner

Mr. Bitasok Banerjee

...for the State

First Information Report was lodged after about 20 years of age.

The defacto-complainant apparently suffered a number of injuries over a period of time. She implicated the husband being the petitioner no. 1 in such incident of assault.

Considering such aspect, we are unable to grant anticipatory bail to the petitioner no. 1 and the prayer for anticipatory bail of the petitioner no. 1 is rejected.

So far as the other petitioners are concerned, we grant them anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner no. 2, Sayra Bibi @ Saira Khatun, petitioner no.3,

Siraj Ali @ Sk. Seraj Ali, petitioner no. 4, Rehana Bibi @ Rehana Begam, petitioner no. 5, Reshmi Khatun @ Rawshan Ara Khatun, petitioner no. 6, Hosnara Begam @ Hosneyara Begam, petitioner no. 7, Sk. Ashabuddin @ Sk. Ashabuddin Ali, petitioner no. 8, Sk. Aktar Ali, petitioner no. 9, Sahyinaj Bibi Khatun @ Sahyinaj Khatun Begam, petitioner no. 10, Jyotsnara Begam @ Jyotsna Begam and petitioner no. 11, Sk. Rejabul @ Sek Rejabul shall be released on bail upon furnishing a bond of Rs.10,000/-, 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. The petitioner will report before the Investigating Officer once a fortnight till the completion of the investigation. The petitioner nos. 2, 4, 5, 6, 9 & 10 will cooperate with the investigation till the conclusion of the investigation and the petitioner nos. 3, 7, 8 & 11 will report before the Investigating Officer till the conclusion of the investigation. Petitioner nos. 2 to 11 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 nos. 2 to 11 in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail of the petitioner nos. 2 to 11 is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)