

Crl. Misc. case No. 984 of 2022

09-11-2022

Petitioner side represented.

Prayer for pre-arrest bail U/S 438 Cr.P.C. for accused/petitioner namely, Samsul Haque Laskar is under consideration, who is apprehending arrest in connection with Silchar P.S. Case No. 3445/2018 (Corresponding to G.R. 5259/2018) U/S 498 A IPC.

Heard Learned Counsel for the accused petitioner as well as Learned Addl.P.P.

C/D as called for is received and perused the same.

Ejaha reflects that on 30-09-2018 the accused i.e. husband of the informant in collusion with other accused persons assaulted the informant/victim without any reason and gave blow on her chest and stomach and caught her throat to kill her. Accused persons ousted her with her children from their house. Hence, this case.

Learned Counsel for the accused/petitioner has submitted that the accused/petitioner and the informant were married on 04-04-2010 and out of their wedlock they were blessed

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with three children. Learned Counsel also submitted that the informant lodged an FIR against the present accused/petitioner vide Silchar P.S. case No. 1308 of 2016 U/S 498-A IPC (G.R. No. 2455 of 2016) which was disposed of vide Judgment dated 20-10-2022 and the accused/petitioner was acquitted. On the other hand learned Addl.P.P. submitted to pass order as per law.

On perusal of C/D it is revealed that investigation has progressed considerably. I.O. has recorded the statement of number of witnesses. Injury report reflects that no injury was sustained by the informant.

Considering the entire aspect and that the fact that the accused is a local resident and I find custodial interrogation of the accused/petitioner is not necessary. Accordingly, I extend the benefit of grant pre arrest bail to the accused/petitioner. Accordingly, arresting authority is directed to enlarge the accused/petitioner namely, Samsul Haque Laskar in the event of his arrest, on execution of a bond of Rs. 20,000/- with a fit

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surety of like amount, to the satisfaction of arresting authority on following conditions:

(i) that he shall make himself available before I.O. concerned on or before 11-11-2022, he shall co-operate with the I.O. and shall appear before I.O. subsequently, as and when called for.

(ii) That, he shall not leave the jurisdiction of this Court without permission of I.O.

Return the C/D with a copy of this order.

This Crl. Misc. case stands disposed off on contest.