

14.11.19

Sl. No.15

Ct. No.1

pk

[ALLOWED]

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 935 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 17.10.2019 in connection with Siliguri Women Police Station Case No. 178 of 2019 dated 08.09.2019 under Sections 498A/323 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.3077 of 2019)

And

In Re: ***Paramananda Chakraborty***

... .. Petitioner

Mr. Rajdeep Majumder,

Mr. A. Das,

Mr. Rohit Agarwal

.. Advocate

... .. for the petitioner

Mr. Saikat Chatterjee .. Advocate

... .. for the State

Learned counsel appearing for the petitioner submits that the petitioner and his wife/de facto complainant herein have been living separately for the last three years. Prior to the filing of this case, a matrimonial suit was filed by the husband/petitioner against the de facto complainant. The petitioner has also complied with a notice under Section 41A of the Code.

Learned counsel appearing for the State submits that on a particular day the petitioner was found in the company of another woman and as a result, a scuffle ensued between the petitioner and the de facto complainant and her mother. He points out to the injury report, which indicates simple injury.

Considering the nature of allegations and the materials available in the case diary, we are inclined to grant anticipatory bail to the petitioner. Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties, one of whom must be local, to the satisfaction of the Arresting Officer and also subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the Investigating Officer once in a fortnight till the submission of the report in final form and on further condition that the petitioner shall appear before the court below and pray for regular bail within a fortnight from date.

The application for anticipatory bail being CRM 935 of 2019 is, thus, disposed of.

Certified website copies of this order, if applied for, be immediately made available to the parties, subject to compliance with all requisite formalities.

(Jay Sengupta, J.)

(Subrata Talukdar, J.)