

23.09.2020
Item 37
Court No. 8
CP

CRM 6353 of 2020
with
CRAN 1 of 2020

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Krishnagar Women Police Station Case No. 36/2020 dated 07.07.2020 under Sections 498A/323/506/34 of the Indian Penal Code.

And

In the matter of: **Bapan Halder @ Babar**

....Petitioner.

Mr. Asraf Mondal.

...for the Petitioner.

Mr. Rana Mukherjee,
Ms. Sujata Das.

...for the State.

The petitioner undertakes to affirm and stamp the petition as per Rules within a month of resumption of normal functioning of the court. The application is taken up on the basis of such undertaking.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case and has prayed for grant of anticipatory bail.

The learned counsel for the State has opposed such prayer and submits that the injury report reveals physical assault on the victim.

It appears from record that the parties have been married for seven years and there may have been certain altercation between the parties. Having regard to the nature of the injury and the gravity of the offence and the extent of complicity of the petitioner in the commission of offence, we are inclined to grant anticipatory bail.

Accordingly, we allow the application for anticipatory bail. In the event of arrest, the petitioner shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) together with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer subject to the condition as laid down under Section 438(2) of the Cr.P.C. and on further condition that the petitioner shall meet the investigating officer at the concerned police station once in a week and cooperate with the investigation.

The application for anticipatory bail is allowed.

In the event the petitioner fails to comply with the conditions as enshrined hereinabove, it is open to the trial court to cancel the bail without any further reference to this Court.

CRM 6353 of 2020 and CRAN 1 of 2020 are disposed of.

All parties are to act on a website copy of this order on the usual undertaking.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J.)