

CRM 6913 of 2020
With
IA No.CRAN/1/2020

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Taherpur Police Station Case No. 107 of 2020 dated 02.08.2020 for alleged offence punishable under Sections 498A/307/406/34 of the Indian Penal Code.

Suvo Sarkar
Vs.
The State of W. B.

Mr. Asraf Mandal
.....For the Petitioner
Mr. S. G. Mukherjee, Ld. P. P.
Mr. Aniket Mitra
.....For the State

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through videoconference on the basis of such undertaking.

The learned advocate for the petitioner submits that the petitioner is the husband of the complainant. According to the learned advocate for the petitioner because of marital discord the present case has been initiated in order to put the petitioner behind the bar. However, according to him the petitioner is innocent and custodial detention is not required.

The learned advocate for the State opposes the prayer for anticipatory bail and draws the attention to the relevant statements of the witnesses which are appearing in the case diary.

We have perused the case diary and the materials on record

and we find no injury report. However, the marriage was solemnized four years ago.

Having considered the materials on record, we are of the opinion that custodial detention of the petitioner is not necessary for the sake of investigation of the case.

Accordingly, the prayer for anticipatory bail is allowed. As such in the event of arrest the petitioner shall furnish a bond of Rs.10,000/- each with two sureties one of whom must be local to the satisfaction of the investigating officer and on condition that he would not tamper with the evidence and/or intimidate any witness.

The aforesaid conditions are in addition to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

CRM 6913 of 2020 and CRAN 1 of 2020 are disposed of.

The petitioner is directed to meet with the Investigating Officer once a week until further orders.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)