

06.10.2020
tkm
sl no. 33

C.R.M. 7554 of 2020
CRAN 1 of 2020
(via video conference)

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tehatta P.S case no. 46 of 2020 dated 30.1.2020 under sections 498A/354/307/34 of the Indian Penal Code

And

Allowed

In Re : Roni Sarkar

..... petitioner

Mr. A K Biswas

..... for the petitioner

Mr. B K Roy

Ms. Rita Dutta

..... for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Accordingly, the application being CRAN 1 of 2020 is disposed of.

It is submitted on behalf of the petitioner that the instant case is in retaliation to a matrimonial suit filed by the petitioner against the *de facto* complainant-wife.

Learned lawyer for the State opposes prayer for anticipatory bail.

Having considered materials on record and bearing in mind the facts and circumstances of the case in the light of the aforesaid submission made on behalf of the petitioner and as the allegation of attempt to murder the housewife is not supported by medical evidence, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner 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 application being CRM 7554 of 2020 is disposed of.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)