

25-11-2020
Subrata
Item no.21
allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No.9406 of 2020
Prosenjit Sinha Roy
-vs-
The State of West Bengal

In Re: An application for anticipatory bail under **Section 438 CrPC** apprehending arrest in connection with Itahar P.S. Case No.302 of 2019 dated September 8, 2019 under sections 498A/307/34 IPC.

Mr. Uday Sankar Chatterjee ...for the petitioner

Mr. Rana Mukherjee
Mr. Goutam Wilson ... for the State

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within forty-eight hours of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking.

Mr Mukherjee appearing for the State very fairly submits before this court that the petitioner and the complainant are married for twelve years. Although this is a case under section 498A IPC, there is no evidence of physical assault.

We do not think that custodial interrogation is necessary at this stage. Hence we allow the anticipatory bail application by the following order.

In the event of arrest, the petitioner shall be released on bail upon furnishing security of Rs.10,000 (Rupees ten thousand only) together with personal release bond of equivalent value each to the satisfaction of the arresting officer.

The petitioner shall also comply with the conditions laid down in section 438(2) CrPC.

CRM No.9406 of 2020 is accordingly disposed of.

[Md. Nizamuddin, J]

[I.P. Mukerji, J]

