

03.03.2020
SI No.10
b.das
Allowed

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

CRM 293 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 02.03.2020 in connection with NJP P.S. Case No.1004 of 2019 dated 09.11.2019 under Section 498A of the Indian Penal Code read with Section 3 /4 of D.P. Act.

And

In Re: **Bappa Dey**

... .. Petitioner.

Mr. Joydeep Kanta Bhowmick

... for the Petitioner.

Mr. Tapan Bhattacharjee

Mr. Aniruddha Biswas

... .. for the State.

Having considered the case diary and the materials produced on record, including the two statements made under Section 161 of the Criminal Procedure Code and the fact that, the complaint inter alia, under Section 498A of the Indian Penal Code was lodged after 12 years of marriage, we are of the view that the petitioner be granted anticipatory bail as prayed for.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount, one of whom must be local, 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 for anticipatory bail is, thus, disposed of.

(Kausik Chanda, J.)

(Debangsu Basak, J.)