

21.01.2021

Item no.148

Court No.28

Avijit Mitra

C.R.M. 265 of 2021 (via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Baidyanath Patar @ Baidya Nath Patar

.... petitioner

Mr. Uttam Majumder,
Mr. Sujay Bandopadhyay

....for the petitioner

Mr. S.S. Imam,
Mr. S. Kundu

..... for the State

Apprehending arrest in connection with Gurguripal Police Station Case No.39 of 2020 dated 24.08.2020 under Sections 498A/494/324/307/34 of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act the present application has been preferred.

Mr. Majumder, learned advocate appearing for the petitioner submits that the complaint was lodged 17 years after the marriage was solemnized. The petitioner has been falsely implicated.

He further submits that upon completion of investigation chargesheet has also been filed and in view of the nature of allegations custodial detention of the petitioner is not necessary.

Learned advocate appearing for the State opposes the petitioner's prayer.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the

injury report, we are of the opinion that custodial detention of the petitioner is not necessary.

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) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application being C.R.M. 265 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)