

28.01.2021
Item no.188
Court No.28
Avijit Mitra

C.R.M. 369 of 2021 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Shyampur Police Station Case No.330 of 2020 dated 01.11.2020 under Sections 498A/506 of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act, 1961;

And

In Re : Monoj Kumar Sau

.... petitioner

Mr. Sabyasachi Chatterjee,

Mr. Debabrata Mondal

....for the petitioner

Mr. Goutam Wilson

..... for the State

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The petitioner's marriage was solemnized with the *de facto* complainant about 20 years ago. Upon completion of investigation chargesheet has also been filed and in the said conspectus, custodial detention of the petitioner is not warranted.

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 extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial detention of the petitioner is not warranted.

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. 369 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)