

19.5.2021

CRM 1207 of 2021

Court No.28
Item No. 33

s.bhar

(Through Video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Haroa Police Station Case No. 349 of 2020 dated 04.10.2020 under Sections 498A/325/307/406/34 of the Indian Penal Code.

And

In the matter of : **Pintu Das**

...Petitioners

Mr. Arkadeb Bhattacharya

...For the Petitioner.

Mr. S.S. Imam

Mr. N.P. Agarwala

Mr. A Manna

...For the State.

It is submitted on behalf of the petitioner that the petitioner is the husband of the defacto complainant and has been falsely implicated in this case. The petitioner filed a matrimonial suit for divorce against the defacto complainant and on receipt of summons of the said suit, the defacto complainant has lodged the present complaint against him.

The State opposes the prayer for anticipatory bail and also submits that no injury report is found in the case diary. Investigation is in progress.

Having considered the materials available before us and also having regard to the fact that there is no contemporaneous injury report of the defacto complainant, we are inclined to hold that the custodial interrogation of the petitioner is not required and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner (**i.e. Pintu Das**) shall be released on bail upon furnishing a bond of

Rs. 10000/- 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 petitioner shall meet the Investigating Officer of the case once in a week until further orders and shall cooperate with the investigation.

With the aforesaid observation, the application for anticipatory bail, being CRM 1207 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this court.

(Suvra Ghosh, J)

(Soumen Sen, J)