

29.07.2021

(Via Video Conference)

Court No.28
Item No.377
(ALLOWED)

CRM 1214 of 2021

Ab/Saswata

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 28.01.2021 in connection with Patashpur Police Station Case No. 328 of 2020 dated 25.08.2020 under Sections 498A/304B/313/34 of the Indian Penal Code;

And

In the matter of : **Narayan Barman.**

...Petitioner

**Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick.**

...For the Petitioner

**Mr. Prasun Kumar Dutta,
Mr. Subrato Roy.**

... For the State

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking, the application is taken up for hearing.

Apprehending arrest in connection with Patashpur Police Station Case No. 328 of 2020 under Sections 498A/304B/313/34 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

The petitioner being not connected by matrimonial relations with the deceased cannot be implicated in a case under Sections 498A/304B/313/34 of the Indian Penal Code. The charge-sheet has already been submitted.

That being the position, he is entitled to be released on anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner

shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the Trial Court on every date of hearing until further orders.

In the event the petitioner fails to do so without any justifiable cause, the Trial Court shall be at liberty to pass necessary order in accordance with law without any further reference to this Court.

CRM 1214 of 2021 is, thus, **allowed**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)