

10.06.2021

(Sl. No. 98)
Ct. No. 30

(S. Banerjee/TB)

CRM 1286 of 2021

(through Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 02.02.2021 in connection with Beliaghata Police Station Case No. 157 of 2020 dated 06.08.2020 (G.R. No. 1951/2020) under Section(s) 498A/406 of the Indian Penal Code.

And

In the matter of: Rabindra Nath Acharya

...petitioner

Mr. Arindam Sen
Mr. Neil Ganguly

... for the petitioner

Mr. Rana Mukherjee
Ms. Debjani Sahu

... for the State

Being apprehensive of arrest in connection with Beliaghata Police Station Case No. 157 of 2020 dated 06.08.2020 (G.R. No. 1951/2020) under Section(s) 498A/406 of the Indian Penal Code, the petitioner/husband arraigned as an accused is seeking anticipatory bail.

Learned counsel for the petitioner invites our attention to the order dated 25.09.2018 passed under Section 23 of PWDV Act for interim relief which is evident of the fact that the learned Magistrate refused to grant protection order of monetary relief as well as relief for the residence for the reasons stated in the said order.

It is submitted that the notice under Section 41A of Cr.PC has been duly complied with by the petitioner.

Now having regard to the background of the case and the present relation between the parties, we are inclined to admit the petitioner on anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner shall be admitted on bail upon furnishing a bond of Rs. 5,000/- (Rupees Five Thousand only) with two sureties of

like amount each subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure and on satisfaction of the learned Additional Chief Judicial Magistrate, Sealdah.

With the above observations CRM 1286 of 2021 is allowed.

(Saugata Bhattacharyya, J.)

(Shivakant Prasad, J.)