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19-05-2021

Court 28

**C.R.M. 1376 of 2021
(Via Video Conference)**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Domjur Police Station Case No. 49 of 2021 dated 20.01.2021 under sections 498A/406 of the Indian Penal Code and Sections 3/4 of the D.P. Act.

Trishanu Chattopadhyay
Versus
State of West Bengal

Allowed

Mrs. Arundhati Banerjee, Adv.
Mr. Kaustav Banerjee, Adv.

...for the petitioner.

Mr. S.S. Imam, Adv.
Mr. Pratick Bose, Adv.

...for the State.

The petitioner disputes his marriage with the de-facto complainant and submits that he has been falsely implicated in this case.

The State opposes the prayer for anticipatory bail and submits that no injury report of the de-facto complainant is available on record.

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

Accordingly, we direct that in the event of arrest, the petitioner, namely, Trishanu Chattopadhyay shall be released on anticipatory bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), 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 for anticipatory bail is allowed.

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.)