

06.08.2021
Item no.12.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1416 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 29.01.2021 in connection with Kasba Police Station Case No.445 of 2020 Dated 30.11.2020 under Sections 498A/406/506/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act

And

In the matter of : Kausik Aich

.....Petitioner.

Mr. Subrata Bhattacharya,
Mr. Indraruj Duttafor the Petitioner.

Mr. S. G. Mukherjee, Ld. PP,
Ms. Debjani Sahufor the State.

The petitioner is the husband of the defacto complainant and pleads innocence. It is submitted on behalf of the petitioner that the defacto complainant has been residing in the petitioner's house with all her belongings including the stridhan articles and the petitioner resides elsewhere. The petitioner has also responded to the notice sent to him under Section 41A of the Code.

The State opposes the prayer for anticipatory bail and draws our attention to the material in the case diary.

Having considered the omnibus nature of allegations against the petitioner and the material in the case diary, we are

inclined to hold that immediate custodial interrogation of the petitioner may not be necessary and he may be granted anticipatory bail.

Accordingly, 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.1416 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)