

01.09.2021
Item no.25
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 1489 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 04.02.2021 in connection with Harishchandrapur Police Station Case No. 809 of 2020 dated 18.11.2020 under Sections 498A/323/307 and 34 of the Indian Penal Code.

And

In the matter of : Ajoy Goswami.

.....Petitioner.

Mr. Soupal Chatterjee, Advocate,
.....for the Petitioner.

Mr. Imram Ali, Advocate,
Mr. Debjani Sahu
.....for the State.

The petitioner is the husband of the victim/complainant lady. The petitioner says that the victim left the matrimonial home and went to reside at her paternal place. Subsequently, she also developed relationship with some other person. This present complaint is completely false.

We have seen the statement of the victim lady. The allegations are general and omnibus in nature. We have seen the injury report also. Nothing significant is there in such report. All the other accused persons have been granted

anticipatory bail by the learned Trial Court. Charge-sheet is yet to be filed.

On an overall assessment of the material on record and the facts and circumstances of the case as also the nature and gravity of the alleged offence, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he co-operates with the investigating officer.

Accordingly, in the event of arrest, the petitioner namely Ajoy Goswami 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 CRM 1489 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.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)

