

13.08.2021
Item no.21.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No.1565 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 5.2.2021 in connection with English Bazar Police Station Case No.1252 of 2020 Dated 25.12.2020 under Sections 498A/323/313/506/34 of the Indian Penal Code

And

In the matter of : Chiranjit Satiar

.....Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmickfor the Petitioner.

Mr. Goutam Wilsonfor the State.

The charge against the petitioner, who is the husband of the complainant/victim, inter alia, is under Sections 498A and 313 of the Indian Penal Code.

We have seen the material in the case diary including the medical report. It is true that there was a miscarriage. However, prima facie there appears to be nothing on record to demonstrate that such miscarriage was caused by the petitioner. Investigation is in progress.

Having considered the overall facts and circumstances of the case and also that there was a delay of about two years in filing the first information report and the material on record, we

are of the view that although charge sheet has not yet been filed, immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with the Investigating Officer.

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.1565 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.)