

13.09.2021
Item no.33.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1696 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 09.02.2021 in connection with Chandannagar Police Station Case No.89 of 2020 Dated 13.09.2020 under Sections 498A/406/313/34 of the Indian Penal Code

And

In the matter of : Sandipan Roy

.....Petitioner.

Mr. Arindam Sen, Mr. Saurav Basu, Mr. Asit Bera	for the Petitioner.
Mr. Subrata Roy	for the State.

The petitioner is the husband of the victim lady. The petitioner says that he has no role to play in the alleged offence. The petitioner's parents have been granted anticipatory bail by the learned Trial Court.

We have seen the material in the case diary including the statement of the victim lady. It prima facie appears that the victim lady had problems regarding pregnancy and she was medically advised missed abortion therapy. This, she underwent towards the end of July, 2017. Sometime thereafter, she left the matrimonial home for her paternal house.

The State says that the petitioner and his parents visited the victim's paternal house and assaulted her there also.

We do not find from the records that any injury as such was suffered by the victim. Charge sheet has been submitted.

On an overall assessment of the facts and circumstances of the case and the material on record, we are of the view that immediate custodial interrogation of the petitioner is not necessary.

Accordingly, in the event of arrest, the petitioner, namely Sandipan Roy 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.1696 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.)

