

**13.08.2021**

Sl. No. 45

Srimanta

Ct. No. – 32

D/L

**CRM/2674/2021**

**(Via Video Conference)**

**In Re :** An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 for apprehension of arrest in connection with Ghatal Police Station Case No. 285/2019 dated 01.9.2019 under Section 498A/406/34 of the Indian Penal Code and 3/4 Dowry Prohibition Act.

**In the matter of : Firoj Mallick.**

... petitioner.

Mr. Somnath Chakraborty, Adv.

...for the petitioner.

Mr. Binoy Panda, Adv.,  
Mrs. Puspita Saha, Adv.,  
Mr. Subham Bhakat, Adv.

...for the State.

The petitioner is the husband of the *defacto* complainant and submits that he was residing in a separate accommodation with the *defacto* complainant. The *defacto* complainant deserted him. All the Streedhan articles of the *defacto* complainant are in her possession.

The State refers to the Case Diary including statements of witnesses recorded under Section 161 of the Code.

Having considered the material in the Case Diary, the nature of allegation against the petitioner and also the extent of complicity of the petitioner in the alleged offence and as it is submitted on behalf of the petitioner that charge-sheet has already been submitted we are of the view 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. 2674 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.)**