

28.07.2021

Court No.28
Item No.36
(Allowed)

Akd
&
As

CRM 3357 of 2021
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Barasat Women Police Station Case No. 29 of 2021 dated 10.03.2021 under Section 498A of the Indian Penal Code;

And

In the matter of : **Shital Bhattacharya @ Sital Bhattacharyya**
...Petitioner

Mr. Nilanjan Adhikari.

...For the Petitioner

Mr. Imran Ali,
Mr. Mirza Firoj Ahmed Begg.

...For the State.

Apprehending arrest in connection with Barasat Women Police Station Case No. 29 of 2021 under Section 498A of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

It is submitted by the learned Advocate for the petitioner that the petitioner was never married to the complainant and she is wrongly claiming herself to be a married wife. The notice under Section 41A of the Code of Criminal Procedure was issued upon the petitioner, which was duly complied with, yet the police is contemplating to arrest him in connection with the aforementioned case.

After perusing the case diary and the statements of the neighbours, we do not think that the custodial interrogation of the petitioner is at all necessary.

The prayer for anticipatory bail is thus allowed.

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 of the concerned police station and on condition that he shall meet the Investigating Officer once in a week or as and when called for and on further conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail, being CRM 3357 of 2021 is thus **disposed of**.

(Harish Tandon, J)

(Bibek Chaudhuri,J.)