

08.10.2021
Item no.36.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 3623 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 27.04.2021 in connection with Chopra Police Station Case No.571 of 2020 Dated 4.9.2020 under Sections 498A/307/34 of the Indian Penal Code

And

In the matter of : Ujjal Kumar Paul @ Uzzal Paul

.....Petitioner.

Mr. Kaushik Chaudhury,
Ms. Bushra Khatunfor the Petitioner.

Mr. Rana Mukherjee, Id. APP,
Ms. Sujata Das,
Ms. Debjani Sahufor the State.

The petitioner and the complainant got married in 2010. The allegation is that the petitioner used to torture her for bringing more dowry. This started from 2015.

The petitioner says that the present complaint is a counter-blast. The petitioner had filed a complaint against the present complainant much before and thereafter has also filed a petition for divorce. Thereafter, this present complaint has been filed.

We have seen the material in the case diary including statements of witnesses. The victim has alleged in her statement

that she was subjected to physical torture. Some photographs are there in the case diary showing injury on the body of the victim. However, there is no medical report. From the photographs, the nature of the injury appears to be such as would have required medical treatment. There is nothing on record to show anything to that effect.

On an overall assessment of the facts and circumstances of the case, the material on record and the possible extent of complicity of the petitioner in the alleged offence, we are of the view that immediate custodial interrogation of the petitioner is not necessary so long as he cooperates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner, namely Ujjal Kumar Paul @ Uzzal Paul 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 and on further conditions that the petitioner shall report to the Investigating Officer once in a fortnight 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.3623 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.)