

30.11.2021
Court No.32
rpan / **152**

C.R.M. 4073 of 2021

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Tilak Ghosal @ Ghoshal**
- Petitioner

Mr. Pradip Paul,
Mr. Gourab Ghosh
... for the Petitioner
Mr. Tanmoy Kr. Ghosh,
Mr. Arindam Sen
... for the State

Apprehending arrest in connection with Chandrakona Police Station Case No. 65 of 2021 dated 04.03.2021 under Sections 498A/323/307/406 of the Indian Penal Code, 1860 and Sections 3/4 of the Dowry Prohibition Act, the present application has been preferred.

The learned advocate appearing for the petitioner submits that the petitioner married the victim lady about 11 years earlier. They are having two daughters. The petitioner has been falsely implicated and the allegations levelled against him are in the abstract. In the said conspectus, custodial interrogation is not warranted.

Mr. Sen, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary. He submits that investigation is not yet complete.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations, the injury report and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation of the petitioner is not necessary. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, in the event of arrest the petitioner, namely, **Tilak Ghosal @ Ghoshal**, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a condition that the petitioner shall meet with the Investigating Officer once a week on and from 6th December, 2021 till the investigation is complete.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned Court below would be at liberty to cancel his bail without any further reference to this Court.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 4073 of 2021, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J)

(Tapabrata Chakraborty, J)