

17.12.2021
Sl. No.10
akd
[ALLOWED]

C. R. M. 4166 of 2021

[via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 18.06.2021 in connection with English Bazar Women Police Station Case No. 103 of 2018 dated 05.08.2018 under Sections 498A/307/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

And

In Re: ***Mubassirul Hoque***

... .. Petitioner

Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. S. S. Imam

Mr. Subrato Roy

... .. for the State

It is submitted on behalf of the petitioner that he is the husband of the de-facto complainant-wife. It is further submitted that there is delay in lodging FIR.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and keeping in mind the nature of allegations in the light of the aforesaid submissions made on behalf of the petitioner, we are of the opinion that custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Mubassirul Hoque***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition

that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)