

24.11.2021

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C.R.M. 5591 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bidhannagar Women** Police Station Case No. **35** dated **05.09.2018** under Sections 498A/406/307 of the Indian Penal Code, 1860 and Sections 3 and 4 of the Dowry Prohibition Act.

And

In Re : Nitin Lakhotia.

..... petitioner

Mr. Madan Murari Verma

....for the petitioner

Mr. Sujan Chatterjee

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, subsequent to filing of the police complaint, the *de facto* complainant and the petitioner entered into a mutual understanding whereunder, they applied for mutual divorce. The divorce petition is pending consideration.

Learned advocate appearing for the State draws the attention of the Court to the contents in the case diary.

Considering the facts and circumstances of the case and considering the nature of the offences and the subsequent

development and also the fact that charge-sheet has already been submitted, we grant anticipatory bail to the petitioner.

Accordingly, we direct that 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, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)