

26.11.2021

Serial no. 81

Dd

(Through Video Conference)

CRM 5895 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Nabadwip** Police Station Case No. **548** of **2019** dated **December 24, 2019** under Sections **498A/325/326/307/34** of the Indian Penal Code, 1860.

-And-

In the matter of : **Soumitra Saha**

... Petitioner

Mr. Sujoy Sarkar, Advocate

... .. For the Petitioner

Mr. Sandip Chakraborty, Advocate

... ..For the State

Mr. Prasun Mukherjee,

Mr. Dwaipayan Biswas, Advocates

... ..For the de facto complainant

Learned advocate appearing for the State submits that the case diary is not with him.

The petition is filed on September 2, 2021.

The Superintendent of Police will take note of the fact that the case diary is not available with the learned advocate for the State. This order be communicated by the learned Public Prosecutor to the Superintendent of Police for necessary action.

The petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner and the de facto complainant are presently residing with each other.

Learned advocate appearing for the de facto complainant submits that his client and the petitioner are living together.

Considering the facts and circumstances of the case and considering the conduct of the de facto complainant and the petitioner subsequent to the lodgment of the police complaint, we are inclined to 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/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and 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 and on further condition that the petitioner shall meet the Investigating Officer as and when called for till completion of investigation.

Prayer for anticipatory bail is **allowed**.

CRM 5895 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)