

16.12.2021

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Allowed

**C.R.M. 6286 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Baishnabnagar Police Station Case No. 355 of 2021 dated 29.07.2021 under Sections 498A/323/307/34 of the Indian Penal Code and Section 4 of the D. P. Act.

And

In Re : Srikanta Pramanik petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
.....for the petitioner

Mr. Bidyut Kumar Roy
Ms. Sima Biswas
....for the State

Learned advocate appearing for the petitioner submits the incident occurred due to a matrimonial dispute. There was delay in lodging first information report.

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

We have considered the materials on record. Allegations of torture are general and omnibus in nature. Allegation of physical assault is not supported by medical evidence. There is delay in lodging first information report.

Under such circumstances, 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioner shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)