

25.11.2021
Court No.32
rpan / 164

C.R.M. 7369 of 2021

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

And

In re: **Sanjib Pramanick**

- Petitioner

Mr. Ashok Das

...For the Petitioner.

Mr. Tanmoy Kr. Ghosh,

Mr. Arindam Sen

...For the State.

Mr. A. Basu,

Ms. Pritha Bhaumik

... For the *de facto* complainant.

Apprehending arrest in connection with Ranaghat Police Station Case No. 339 of 2021 dated 23.09.2021 under Sections 498A/307 of the Indian Penal Code, 1860, the present application has been preferred.

Mr. Das, learned advocate appearing for the petitioner, submits that the alleged incident occurred about 15 years after the marriage and the petitioner has been falsely implicated. The allegations are omnibus in nature. He further submits that the complaint lodged by his wife/*de facto* complainant is a counter blast to the divorce proceedings initiated by the petitioner. In the said conspectus, custodial interrogation is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary, including the statement of the petitioner's daughter, recorded under Section 164 of the Code.

Ms. Bhaumik, learned advocate, enters appearance on behalf of the *de facto* complainant and opposes the petitioner's prayer.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the injury report and the fact that a Matrimonial Suit no.541 of 2021 has been preferred and is pending, we are of the opinion that custodial interrogation is not warranted.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Sanjib Pramanick**, 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 and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that the petitioner shall not enter the jurisdiction of Ranaghat Police Station till the investigation is over and shall meet with the Investigating Officer once a week on and from 6th December, 2021 till such investigation is completed.

The application for anticipatory bail, being CRM No. 7369 of 2021, is, thus, 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.)