

19.03.2021
Ct.04
RP 118
Allowed

CRM 11211 of 2020

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Berhampore Police Station Case No.1278 of 2020 dated 10.12.2020 under Sections 498A/325/307/506/34 of the Indian Penal Code read with Section 3/ 4 Dowry Prohibition Act.

And

In the matter of : Sanjib Chowdhury

.... Petitioner

Mr. S. Das Mahapatra
Mr. S. Adhikary

.... For the Petitioner

Mr. Abhra Mukherjee
Mr. Gautam Banerjee

.... For the State

The present application under section 438 of the Code of Criminal Procedure, 1973 filed at the instance of Sanjib Chowdhury is taken up for hearing and order.

It is submitted on behalf of petitioner that the petitioner is the husband of the de facto complainant and has been falsely implicated in the instant case. The de facto complainant has deserted the petitioner leaving behind their minor daughter with him.

The State refers to the case diary including the injury report and statement of the witnesses.

It appears that the petitioner is the husband of the victim and the injuries sustained by the victim are not serious. Considering the extent of complicity of the

petitioner in the alleged crime, we are inclined to hold that the custodial interrogation of the petitioner is not required.

Accordingly, in the event of arrest, the petitioner is directed to be released on anticipatory bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount 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.

CRM 11211 of 2020 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)

