

21 09.03.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A) 1148 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bansdroni** P.S. Case No.15 dated **31/01/2022** under Sections **498A/506/313/509/354/34** of the Indian Penal Code giving rise to ACGR Case No.402 of 2022.

And

In the matter of: Surajit Samanta

....petitioner.

Mr. Navanil De

Mr. Subhrajit Dey

Mr. Anirban Guhathakurata

...for the petitioner.

Mr. Narayan Prasad Agarwala

Mr. Pratick Bose

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. He, however, volunteers to pay maintenance at the rate of Rs.15,000/- (Rupees Fifteen Thousand Only) per month commencing on and from the month of January, 2022 and payable within fifteenth day of each month. He submits that he will pay the arrears in instalments.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the petitioner is offering to maintain the de facto complainant who is his wife in the manner as noted above, 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/- (Rupees Ten Thousand Only) with two sureties of

like amount each 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 and on further condition that the petitioner shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and that the petitioner shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The prayer for anticipatory bail of the petitioner is allowed.

The offer of the petitioner to pay maintenance to the de facto complainant month by month commencing from the month of January, 2022 and payable within fifteenth day of each month is placed on record. He will pay in terms of this order.

So far as the months of January and February, 2022 are concerned, the same may be paid along with the monthly instalments of the month of April, 2022 and May, 2022.

The payment of maintenance is wholly without prejudice to the rights and contentions of the petitioner and the de facto complainant and will be subject to the any decision as to the quantum and commencement thereof by the appropriate forum.

C.R.M. (A) 1148 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)