

CRM (A) 1287 of 2022

In re: An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 14.03.2022 in connection with Sinthi Police Station Case No. 109 of 2021 dated 16.12.2021 under Sections 498A/406/34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act, 1961.

-And-

In the matter of : **Sabyasachi Bhattacharya**

... ..Petitioner

Mr. Aniruddha Bhattacharya, Advocate

Mr. Indranuj Dutta, Advocate

... .. For the Petitioner

Mr. Bidyut Kr. Roy, Advocate

Ms. Rita Datta, Advocate

... .. For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The petitioner however is ready and willing to maintain the de facto complainant strictly without prejudice to the rights and contentions of the petitioner with regard to the quantum payable and also the period of payment. Petitioner submits that the petitioner is ready and willing to pay a sum of Rs.15,000/- per month towards the maintenance of the de facto complainant month by month commencing from the month of March 2022. He submits that the payment for the month of March 2022 will be paid by March 31, 2022 and the subsequent month onwards by 15th of each month.

Learned Advocate appearing for the State draws the attention of the Court to the contents in the case dairy.

Considering the gravity of the offence and the involvement of the petitioner therein, we are inclined to grant anticipatory bail to the petitioner. However, the offer of the petitioner as noted above is placed on record. The

petitioner will abide by the same till a decision with regard to the quantum of maintenance and the period of maintenance as arrived at by the appropriate forum, in accordance with law.

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 condition that the petitioner will report before the Investigating Officer once in a month till the conclusion of the investigation and on condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail is allowed.

CRM (A) 1287 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)