

08.04.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1617 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gaighata** Police Station Case No. **1110** of **2021** dated **29.11.2021** under Sections 498A/406/506/328/379/34 of the Indian Penal Code, 1860.

And

In Re : Sri Nantu Dutta

..... petitioner

Ms. Pampa Dey (Dhabal)

....for the petitioner

Mr. Joydeep Roy

Ms. Sutapa Banerjee

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, other co-accuseds were granted anticipatory bail by the Coordinate Bench. She submits that, in respect of an incident of September 3, 2021, the police complaint was lodged through a proceeding initiated under Section 156(3) of the Code of Criminal Procedure (Cr.P.C.) on November 3, 2021.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the victim and the materials in the case diary.

Considering the period of delay in lodgment of the First Information Report and considering the fact that the other co-

accuseds were enlarged on anticipatory bail by the Coordinate Bench, 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/-, 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 condition that the petitioner shall meet the Investigating Officer once in a fortnight 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

