

11 20.04.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A) 1765 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Islampur** P.S. Case No.**858 of 2021** dated **10/12/2021** under Sections **498A/307** of the Indian Penal Code, corresponding to G.R. Case No.3168 of 2021, pending before the Court of the Ld. ACJM at Uttar Dinajpur.

And

In the matter of: Debasis Kundu @ Debashis
....petitioner.

Mr. Amit Roy
...for the petitioner.

Mr. Bidyut Kumar Roy
Ms. Kumkum Mitra
... for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the de facto complainant initially initiated a proceedings, *inter alia*, under Section 498A of the Indian Penal Code against the petitioner in the year 2012. The petitioner along with the other co-accused were acquitted therein. Thereafter, the present case was lodged.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Considering the fact that the petitioner along with the other co-accused in the earlier proceedings were acquitted and considering the materials in the case diary and considering the gravity of the offence and the involvement of the petitioner, 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 will report before the Investigating Officer as and when called for 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 of the petitioner is allowed.

C.R.M. (A) 1765 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)