

21.04.2022

26

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1803 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotulpur** Police Station Case No. **24** of **2022** dated **28.02.2022** under Sections 498A/307 of the Indian Penal Code, 1860 along with Sections 3/ 4 of the Dowry Prohibition Act, 1961.

And

In Re : Sk. AlamAhammad

..... petitioner

Mr. Niladri Sekhar Ghosh

Mr. Sompurna Chatterjee

Mr. Sourav Mondal

....for the petitioner

Mr. Joydeep Roy

Ms. Sujata Das

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the police complaint is a counter-blast to the application for restitution of conjugal rights filed by the petitioner.

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

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the present police complaint being instituted as a counter-blast to the application for restitution of conjugal rights filed by the

petitioner cannot be ruled out at this stage, 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.)