

23 19.05.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 2261 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Entally** P.S. Case No.**385** of **2021** dated **27/11/2021** under Section **307** of the Indian Penal Code, 1860; later charge sheet filed under Sections **498A/406/34** of the Indian Penal Code, 1860 read with Sections **3** and **4** of Dowry Prohibition Act, 1961.

And

In the matter of: Mohommad Farooque @ Md. Farooque
....petitioner.

Mr. Ali Ahsan Alamgir
Ms. Riya Das
Ms. Rabia Khatoon

...for the petitioner.

Mr. Rudradipta Nandy

...for the State.

Leave granted to the learned Advocate-on-record of the petitioner to amend the cause-title.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the police submitted charge sheet and, therefore, custodial interrogation of the petitioner is not required.

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

The police after conclusion of the investigation submitted charge sheet. The charge of Section 302 of the Indian Penal Code is not against the present petitioner.

Consequently, considering the fact that the police submitted charge sheet and considering the gravity of the offence and the involvement of the petitioner therein, 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 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) 2261 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bivas Pattanayak, J.)