

22.06.2022
Sl. 7
Court No.29
(AD)
(Allowed)

C.R.M. (A) 2421 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** Police Station Case No. **09** of **2022** dated **08.01.2022** under Sections **498A/323/307/34** of the Indian Penal Code, 1860.

And

In the matter of: **Utpal Paul**

....petitioner.

Mr. Sayan De
Mr. Sayan Kanjilal
Ms. Esha Acharya
Mr. Kaustav Shome

...for the petitioner.

Mr. Pratick Bose
Mr. Bidyut Roy
Mr. Samrat Paul

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the police complaint was lodged eight years after the marriage. Subsequent thereto, the parties were negotiating for a settlement. The settlement did not occur. Thereafter, the police are harassing the petitioner.

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

Considering the period of marriage, the materials in the case diary and the gravity of the offence, 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 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 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 2421 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)