

16.06.2022
SL No.135
Ct. 28
Saswata

CRM (A) 2770 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Habibpur** P.S. Case No. **140/2022** dated **28.04.2022** under **Sections 498A/494/34 of the Indian Penal Code.**

And

In the matter of: **Nityananda Sarkar**

....Petitioner

Mr. Arup Kumar Bhowmick

...for the Petitioner

Ms. Kumkum Mitra

...for the State.

We have considered the materials on record. Allegations of torture are general and omnibus in nature. Under such circumstances, we are of the view though custodial interrogation of the petitioner is not necessary, petitioner requires to cooperate with the investigation.

The prayer for anticipatory bail is thus allowed.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a Bond of Rs. 10,000/- (Rupees Ten thousand only) with two sureties of like amount each one of whom must be local, 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 shall appear before the Court below and pray for regular bail within four weeks from date and on further condition that the petitioner while on bail shall meet the investigating officer once in a week or until further orders.

The application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

