

27.06.2022
Serial no. 38
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 3024 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **84** of **2022** dated **02.03.2022** under Sections **498A/34** of the Indian Penal Code.

-And-

In the matter of : **Rakesh Karmakar**

... .. Petitioner

Mr. Atarul Hoque,
Mr. Ali Ahasan Alamgir,
Ms. Rabia Khatoon, Advocates
... .. *For the Petitioner*

Ms. Sujata Das, Advocate
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner filed a petition for restitution of conjugal rights of marriage whereupon the present police complaint was filed.

Learned advocate appearing for the State submits that the investigations are yet to be concluded. She refers to the materials in the case diary.

Considering the omnibus nature of allegations made as against the petitioner and considering the fact that there is an earlier application for restitution of conjugal rights filed and the police complaint was initiated consequent upon an order passed under Section 156(3) of the Criminal Procedure Code, we are inclined to 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 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 report before the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed.**

CRM (A) 3024 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)