

05.07.2022
Item No.35
Court No.29
CHC
Allowed

CRM (A) 3164 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Chopra Police Station Case No. 273 of 2022 dated 14.05.2022 under Sections 498(A)/307/34 of the Indian Penal Code.

-And-

In the matter of : **Phelu Das**
@ **Sabyasachi Das**
...petitioner

Mr. Kunal Ganguly, Advocate

... ... For the Petitioner

Mr. Imran Ali, Advocate
Mrs. Debjani Sahu

... ...For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner is the brother-in-law of defacto complainant. He submits that there is no subsisting social relationship between the petitioner and the principal accused. They are not in contact with each other for last three years. Petitioner is sought to be falsely implicated. The father-in-law of the defacto complainant was arrested and enlarged on bail by the jurisdictional court.

Learned advocate appearing for the State draws attention of the Court to the materials in the Case Diary.

In view of the claim of the petitioner that there is no subsisting relationship between the petitioner and the de facto complainant and her husband for the last three years and considering the materials in the Case Diary, 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 be 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 meet the Investigating Officer once a fortnight and on further condition that the petitioner shall appear on every date 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 petitioners 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) 3164 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)