

31.03.2022
Serial no.34
CHC
Ct. No. 29
Allowed

CRM 6379 of 2021

In re: An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 16th September, 2022 in connection with Parnasree Police Station Case No.215 of 2021 dated 14/08/2021 under Sections 498A IPC and 3 & 4 of the D.P. Act.

-And-

In the matter of : **Gouranga Das**

... ...**Petitioner**

Mr. Narayan Chandra Ghosh, Advocate
Mr. Falguni Bandyopadhyay, Advocate
Ms. Riya Ballav, Advocate

... ... For the Petitioner

Mr. Goutam Wilson, Advocate

... ... For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that petitioner complied with the notice under Section 41A of the Criminal Procedure Code. Petitioner was implicated in the previous police case where the allegation under Section 498A of the Indian Penal Code was not present. Petitioner obtained bail therein. Thereafter, the present police complaint was lodged.

Learned advocate appearing for the State submits that the victim was driven out from the matrimonial home within six months from her marriage.

Considering the materials available in the case diary and considering the fact that there was a previous police complaint lodged by the victim against the petitioner where the victim did not complain of Section 498A of the Indian Penal Code and considering the fact that petitioner complied with the notice under Section 41A of the Cr.P.C. so far as the present case is concerned, we deem it appropriate 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 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 in a month 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.

The prayer for anticipatory bail is allowed.

CRM 6379 of 2021 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)