

July 25, 2022
(31) ARDR
Allowed

CRM (A) 3502 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Karimpur** Police Station Case No. **108 of 2022** dated **13/5/2022** under Sections **498A/307/506/34** of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

And

In the matter of: **Pankaj Kumar Biswas,**

....petitioner.

Ms. Minoti Gomes,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,

...for the petitioner.

Mr. D. Chatterjee,
Ms. Debjani Dasgupta,

...for the State.

Petitioner prays for anticipatory bail.

Learned counsel for the petitioner submits that the complaint was lodged after fourteen years of marriage. She refers to an award passed by the Lok Adalat. She contends that the petitioner is paying the de facto complainant in terms of the order of the Lok Adalat.

Learned counsel for the State, on instructions, submits that the petitioner is not complying with the order of the Lok Adalat and the payments are irregular.

The de facto complaint is at liberty to take steps for the alleged irregular payment in terms of the order of the Lok Adalat.

Considering the fact that the police complaint was lodged fourteen years after marriage and considering the

gravity of the offence and the involvement of the petitioner therein, 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 month till the conclusion of the investigation and on 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 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) 3502 of 2022 is thus, **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)