

28.07.2022

42

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3571 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **534** of **2022** dated **30.06.2022** under Sections 498A/325/307/34 of the Indian Penal Code.

And

In Re : Samiran Biswas

..... petitioner

Ms. Minoti Gomes

Mr. Amanul Islam

Mr. Sourav Mukherjee

....for the petitioner

Mr. Tanmoy Kumar Ghosh

Mr. Arindam Sen

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The wife of the petitioner eloped. The petitioner lodged a police complaint. As a counter police case, the present police complaint was lodged.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case dairy.

The previous police complaint is at the behest of the petitioner cannot be overlooked. The marriage is of 18 years.

In such circumstances, 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/-, 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 meet the Investigating Officer as and when called for 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)