

44 29.07.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 3628 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jangipara** P.S. Case No.**122 of 2022** dated **13/07/2022** under Sections **498A/406** of the Indian Penal Code and Section **4** of the D.P. Act.

And

In the matter of: Panchu Gopal Adhikary & Ors.

....petitioners.

Mr. Purnasish Gupta

Mr. Jayanta Kumar Mukhopadhyay

...for the petitioners.

Ms. Kum Kum Mitra

...for the State.

Petitioners pray for anticipatory bail.

Considering the fact that the petitioner no.2 filed a suit for divorce under Section 13 of the Hindu Marriage Act, 1955 on June 10, 2022 which is prior in point of time than the police complaint dated July 13, 2022, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of like amount each to the satisfaction of the Arresting Officer and also 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 nos.1 and 2, namely, Panchu Gopal Adhikary and Dinabandhu Adhikary, will report before the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner nos.3 and 4, namely, Rupali Adhikary and Kamala Adhikary, will cooperate with the

investigation till the conclusion of the investigation and on condition that the petitioners 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 3628 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)