

17.08.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3922 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dhaniakhali** Police Station Case No. **91** of **2022** dated **12.05.2022** under Sections 498A/406/506/34 of the Indian Penal Code, 1860.

And

In Re : Prithwiraj Chakraborty

..... petitioner

Mr. Abhra Mukherjee

Mr. Sauradeep Dutta

....for the petitioner

Mr. Pravas Bhattacharya

Ms. Subhasree Patel

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the First Information Report (FIR) does not array the petitioner as an accused.

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

Considering the fact that other co-accuseds are on anticipatory bail and considering the fact that the de-facto complainant did not array the husband-petitioner as an accused in the FIR, 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 once a week 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 petitioners 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.)