

06.01.2022

Court No.32
rpan / 20

CRM 7931 of 2021

[through Video Conferencing]

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re.: **Biswajit Ghosh**
- Petitioner

Mr. Ayan Bhattacharya,
Mr. Kunal Ganguly
... for the Petitioner.
Md. Anwar Hossain,
Ms. Ratna Ghosh
... for the State.

Apprehending arrest in connection with Uttarpura Police Station Case No.304 of 2019 dated 20.06.2019 under Sections 498A/406 of the Indian Penal Code, 1860, the petitioner has filed the present application.

Mr. Bhattacharya, learned advocate appearing for the petitioner submits that the allegations levelled against the petitioner are absolutely unfounded. Drawing the attention of this Court to the documents annexed at pages 26-29 of the present application, he submits that steps towards reconciliation have been initiated and the petitioner has responded to the same. Upon completion of investigation charge sheet has also been submitted. As such, custodial interrogation is not warranted.

Ms. Ghosh, learned advocate appearing for the State opposes the petitioner's prayer. However, she submits that *streedhan* articles have been recovered.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and as

streedhan articles have been recovered, we are of the opinion that custodial interrogation is not necessary, more so when, upon completion of investigation charge sheet has been submitted.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Biswajit Ghosh**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, 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.

The application for anticipatory bail, being CRM 7931 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)