

CRM 8051 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Shantanu Majumder**

..... petitioner

Mr. Soumik Ganguli

.....For the petitioner

Mr. Narayan Prasad Agarwala
Sk. Arif Hossain

.....For the State

Apprehending arrest in connection with Bankura Women Police Station Case No. 76 of 2021 dated 25.09.2021 under Sections 498A/506 of the Indian Penal Code, the instant application for anticipatory bail has been preferred.

Mr. Ganguli, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The petitioner married the victim way back in the year 1999 and the present complaint stems out of a matrimonial dispute. The victim left her matrimonial house and claimed maintenance. Thereafter, she filed a maintenance application on 17th September, 2021 and subsequent thereto, the present complaint was lodged. The petitioner is paying the monthly maintenance amount to his wife and in the said conspectus, custodial interrogation is not warranted.

Mr. Agarwala, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses.

Having heard learned advocates appearing for the respective parties and considering the materials in the case, the nature of accusations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation is not warranted.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Shantanu Majumder** 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 with a further direction that the petitioner shall cooperate with the investigation and shall meet with the investigating officer once a fortnight till investigation is complete.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses. He shall also attend learned Court below on all the dates, as specified for hearing.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel his bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM 8051 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.)