

23.08.2022

19

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4006 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathpur Women** Police Station Case No. **14** of **2022** dated **15.06.2022** under Sections 498A/323/307/313 of the Indian Penal Code, 1860 and Sections 3/ 4 of the Dowry Prohibition Act.

And

In Re : Astik Das

..... petitioner

Mr. Soumik Ganguly

....for the petitioner

Mr. Sujan Chatterjee

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, on October 9, 2021, the de-facto complainant allegedly underwent an abortion. She was released on October 12, 2021. She stayed in her matrimonial home for seven months. The petitioner filed restitution of conjugal rights on April 28, 2022. The present police complaint was lodged on June 15, 2022.

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

Considering the fact that the application for restitution of conjugal rights was prior in point of time and considering the

materials in the case diary, 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 month 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.)