

30.08.2022

Sl.33

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4142 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hemtabad** Police Station Case No. **121 of 2022** dated **31.03.2022** under Sections **498A/323/325/307/315/34** of Indian Penal Code, (Corresponding to G.R. Case No.911 of 2022).

And

In the matter of: **Gopendra Nath Roy**

....petitioner.

Mr. Koushik Chowdhury

Ms. Busra Khatun

...for the petitioner.

Mr. Tanmoy Kumar Ghosh, Ld. Sr. Government Advocate

Ms. Sonali Bhar

...for the State.

Petitioner prays for anticipatory bail.

The petitioner as the husband filed a petition for restitution of conjugal rights on March 5, 2022. The police complaint was filed on March 31, 2022.

Considering the materials in the case diary, the gravity of the offence and the involvement of the petitioner therein and considering the fact that there is a prior proceeding for restitution of conjugal rights, 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/- (Rupees Ten Thousand Only), with two sureties of like amount each, 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 and on condition that the

petitioner will report before the Investigating Officer once a fortnight 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4142 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)