

CRM 8666 of 2021
(via video conference)

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

In the matter of : **Bimal Nandi @ Bimol**

..... petitioner

Ms. Sonali Das

.....For the petitioner

Mr. Imran Ali

Mr. Mirza Firoj Ahmed Begg

.....For the State

Apprehending arrest in connection with Krishnagar Women Police Station Case No. 62 of 2021 dated 02.11.2021 under Sections 498A/406/323/307/506/34 of the Indian Penal Code, the present application has been preferred.

Ms. Das, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in an alleged incident which had occurred about eleven years after the petitioner's marriage with the victim lady. The alleged incident occurred on 30th October, 2021 and the victim left her matrimonial house. About three days thereafter the victim lodged the complaint. The allegations are omnibus in nature and in the said conspectus, custodial interrogation is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of

the victim as recorded under Section 164 of the Code, the injury report and the contents of the complaint.

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

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Bimal Nandi @ Bimol** 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 further condition that the petitioner shall meet with the investigating officer once a week 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 8666 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.

(Ajoy Kumar Mukherjee, J.)

(Tapabrata Chakraborty, J.)