

17.02.2022

Court No.32
rpan / **210**

C.R.M. 8960 of 2021

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

And

In re: **Sk. Golam Hasan @ Manti**
- Petitioner.

Mr. Dipanjan Chatterjee,
Mr. Asit Nayek
... for the Petitioner.

Mr. Anowar Hossain,
Ms. Ratna Ghosh
... for the State.

Apprehending arrest in connection with Goghat Police
Station Case No.330 of 2021 dated 24.11.2021 under Sections
498A/406 of the Indian Penal Code, the petitioner has filed the
present application.

Mr. Chatterjee, learned advocate appearing for the
petitioner submits that the allegations levelled against the
petitioner are unfounded. He has been falsely implicated. His
wife voluntarily left her matrimonial house about a year after her
marriage. In the said conspectus, custodial interrogation may
not be necessary.

Ms. Ghosh, learned advocate appearing for the State
opposes the petitioner's prayer and draws our attention to the
statement of the victim lady as recorded under Section 161 of
the Code and other materials in the case diary.

Having heard the learned advocates appearing for the
respective parties and considered the materials in the case
diary, the nature of accusations and the possible extent of

complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation is not necessary.

Accordingly, we allow the prayer for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Sk. Golam Hasan @ Manti** 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 with a further condition that he shall meet with the Investigating Officer of the case once a week till investigation is complete.

It is further directed that the petitioner shall attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

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 8960 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.)