

29.09.2022.

18.

AD/KC

(Allowed).

C.R.M. (A) 4685 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ballygunge P. S.** Case No.**43 of 2022** dated **25.05.2022** under Sections **498A/406/34** of the Indian Penal Code read with Sections **3/ 4** of the Dowry Prohibition Act.

In the matter of : Amit Bajoria

... Petitioner.

Mr. Kallol Mondal

Mr. Krishan Ray

Mr. Souvik Das

Mr. Anamitra Banerjee

Mr. Samsher Ansari

...for the Petitioner.

Mr. Debasish Roy

Mr. Sandipan Ganguly

Mr. L. Vishal Kumar

Ms. Manaswita Mukherjee

.....for the de-facto complainant.

Mr. Madhusudan Sur

Mr. Dipankar Pramanick

.....for the State.

Petitioner is the husband of the de-facto complainant/wife. He submits there was matrimonial discord between the parties. The de-facto complainant/victim left the matrimonial home in 2017 along with the stridhan articles. Petitioner is also paying the school fees of the minor children. He undertakes to continue to pay the school fees and other expences relating to the minor children in the custody of the de-facto complainant.

Learned lawyer of the State opposes the prayer for anticipatory bail.

Learned lawyer for the de-facto complainant disputes the contention that the petitioner is regularly paying school fees of the minor children.

In reply, petitioner undertakes to pay the outstanding school fees, if any, and continue to make payments of the school fees and other educational expenses of the two minor children.

We have considered the materials on record in the light of the aforesaid submissions, particularly, the undertaking of the petitioner that he shall liquidate outstanding school fees, if any, and continue to pay the school fees and other educational expenses of the minor children. In view of the aforesaid undertaking, 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 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 appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed
of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)