

30.09.2022.

53.

AD/KC

(Allowed).

C.R.M. (A) 4782 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta P. S.** Case No.**319 of 2021** dated **14.06.2021** under Sections **498A/304B/302/34** of the Indian Penal Code and **3/4** of D.P. Act.

In the matter of : Subhajit Ghosh

... Petitioner.

Mr. Asraf Mandal

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. PP

Mr. Aniket Mitra

Ms. Jonaki Saha

... for the State.

Petitioner is a cousin of the husband of the victim housewife. He did not ordinarily reside at the matrimonial home of the deceased housewife. Allegation of torture requires to be assessed in the light of the aforesaid circumstance. Keeping in mind the extent of complicity of the petitioner in the alleged crime and as investigation is complete, we are inclined to 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.)