

12.10.2022.
35.
AGM/AN
(Allowed).

C.R.M. (A) 4866 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Bauria P. S. Case No.172 of 2022 dated 26.09.2022 under Sections 498A/307/34 of the Indian Penal Code and 3 / 4 of the Dowry Prohibition Act, 1961.

In the matter of : Surajit Mondal @ Surojit Mondal.
... Petitioner.

Mr. Swapan Kumar Mallick,
Mr. Sabyasachi Mondal,
Ms. Sudeshna Das,
...for the Petitioner.

Mr. Narayan Prosad Agarwal,
Mr. Ashok Das,
.....for the State.

It is submitted on behalf of the petitioner that he has been falsely implicated in this case due to matrimonial discord. He prays for anticipatory bail.

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

We have considered the materials on record. The allegations of torture are general and omnibus in nature. The injury report does not disclose any injury which is life threatening.

Under such circumstances, 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.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)