

VB
131. 13.10.2022
Ct.28 NB/Tgh/Ali

Allowed

C.R.M. (A) 4933 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with **Tehatta Police Station Case No. 561 of 2021** dated **26/10/2021** under Sections **498A/323/325/307/379/506/34** of the Indian Penal Code.

And

In the matter of: - **Dhiman Biswas @ Uttam Biswas**
...petitioner.

Mr. Mr. Asraf Mandal
...for the petitioner.

Mr. A. Hossain,
Ms. Purnima Ghosh.
...for the State.

Heard learned Lawyer of the parties.

Petitioner submits that the incident occurred 15 years after marriage. He prays for anticipatory bail.

Learned Lawyer for the State opposes the prayer for bail.

We have considered the materials on record. The injury report states that no external injury was noted.

Keeping in mind the aforesaid fact, we are of the opinion that custodial interrogation of the petitioner may not be necessary but the petitioner requires to co-operate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner, *viz.*, **Dhiman Biswas @ Uttam Biswas** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of

the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. (A) 4933 of 2022 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Supratim Bhattacharya, J.)

(Joymalya Bagchi, J.)