

14.11.2022
Serial no.14
Aloke

CRM (A) 4990 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Haringhata Police Station Case No. 332 of 2022 dated 17.09.2022 under Sections 498(A)/323/34 of the Indian Penal Code.

-And-

In the matter of : **Sushanta Pandit & Ors.**

... .. Petitioners

Mr. Niladri Sekhar Ghosh, Advocate
Ms. Sutanaka Chowdhury, Advocate
Ms. Sompurna Chatterjee, Advocate
Mr. Sourav Mondal, Advocate

... .. For the Petitioners

Mr. Rudradipta Nandy, Advocate
Ms. Sima Biswas, Advocate

... ..For the State

Mr. Suvadip Bhattacharjee , Advocate

... .. For the de facto complainant

Petitioners seek anticipatory bail.

The report submitted in Court be taken on record.

Additional Superintendent of Police is present. His personal presence is dispensed with.

The causes shown for the absence of the Superintendent of Police is accepted.

The materials in the case diary contain omnibus allegations as against the petitioners. The police complaint was lodged nine years after marriage. There are two children born out of the wedlock.

Learned Advocate appearing for the de facto complainant on instruction submits that the de facto complainant is unwilling to continue with the matrimonial relationship any further in view of the torture meted out to her by the petitioner.

In such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties

of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner nos. 1 and 2 shall meet the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 3 shall cooperate with the investigation till the conclusion of the investigation and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 4990 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)