

22.11.2022

Sl.8

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5318 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dhantala** Police Station Case No. **246 of 2022** dated **26.04.2022** under Sections **498A/307/376/511/34** of the Indian Penal Code. Subsequently charge sheet submitted under Sections **498A/307/376/511/34** of the Indian Penal Code.

And

In the matter of: **Avijit Singha Roy**

....petitioner.

Ms. Sangeeta Chakraborty

...for the petitioner.

Mr. Joydeep Roy

Ms. Sujata Das

...for the State.

Petitioner prays for anticipatory bail.

The victim refused to undergo medical examination.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, the relationship between the victim and the petitioner and the materials in the case diary, 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/- (Rupees Ten Thousand Only), 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 condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5318 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)