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(AD) 05.12.2022

C.R.M. (A) 5664 of 2022

Court No.29
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar Women** Police Station Case No.111 of 2022 dated **11/05/2022** under Sections **498A/494/307/34** of the Indian Penal Code read with Section **4** of the Dowry Prohibition Act corresponding to G.R. Case No.2768 of 2022.

And

In the matter of: **Shib Shankar Saha**

....petitioner.

Mr. Tapan Kumar Dattagupta
Mr. Parvej Anam

...for the petitioner.

Mr. Imran Ali
Ms. Debjani Sahu

...for the State.

Petitioner prays for anticipatory bail.

Apparently, the police complaint was lodged after seven years of marriage.

The police filed charge sheet.

There is a statement of the daughter of the de facto complainant claiming that the petitioner assaulted the de facto complainant.

The case diary does not contain any medical examination report of the de facto complainant.

In such circumstances, 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 also subject to the conditions as laid down under Section 438(2)

of the Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5664 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)