

13.10.2022  
JCB 7  
Ct.No.28  
Sourav/  
Suvayan

**In the High Court at Calcutta  
Circuit Bench at Jalpaiguri  
Criminal Miscellaneous Jurisdiction**

**CRM (A) 592 of 2022**

**In re:** An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rajganj** Police Station Case No. **509** of **2022** dated **06.09.2022** under Sections **498A/323/307/506** of the Indian Penal Code and **3/4** of the Dowry Prohibition Act.

- A n d -

In the matter of : **Koushik Das**

.... Petitioner.

Ms. Madhushri Dutta

... for the Petitioner.

Mr. Aditi Shankar Chakraborty

Mr. Nilay Chakraborty

Mr. Biswarup Roy

....for the State.

Heard learned counsels for both the parties.

Learned lawyer for the petitioner submits that a suit for restitution of conjugal rights has been filed. The defacto complainant wife has also submitted a prayer before the Family Counseling Centre for mediation. Arrest of the petitioner would extinguish the possibility of reconciliation.

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

We have considered the materials on record including the statement of the victim lady. Injury report does not disclose any serious injury. Possibility of reconciliation cannot be ruled out.

Under such circumstances, we are of the opinion that custodial interrogation is not necessary but petitioner requires to cooperate with the investigating agency.

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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition the petitioner shall cooperate with the investigation and meet the investigating officer once in a week or until further orders whichever is earlier.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being **CRM (A) 592 of 2022** is disposed of.

**(Supratim Bhattacharya, J.)**

**(Joymalya Bagchi, J.)**