

16.01.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 162 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **1726** of **2022** dated **28.12.2022** under Sections 498A/325/307/506 of the Indian Penal Code, 1860 and Sections 3/ 4 of the Dowry Prohibition Act, 1961.

And

In Re : Chandan Biswas

..... petitioner

Mr. Somnath Adhikary

....for the petitioner

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Aniket Mitra

....for the State

There is a pending proceeding for divorce filed at the instance of the de-facto complainant.

In such divorce petition, she claims that she left the matrimonial home about a year back.

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/-, 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 further condition that the petitioner shall meet 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)