

02.02.2023
Serial no. 04
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 392 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Debra** Police Station Case No. **288** of **2022** dated **07.06.2022** under Sections **498A/323/325/307/34** of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, 1961.(G.R. no. 1837/2022)

-And-

In the matter of : **Utpal Bera**

... .. Petitioner

Ms, Madhurai Sinha, Advocate

... .. *For the Petitioner*

Ms. Faria Hossain,

Mr. Anand Keshari, Advocates

... ..*For the State*

The police case is of June 7, 2022.

Police filed charge sheet.

The police complaint was lodged more than 8 years after the marriage.

Considering the materials in the case diary, the period elapsing between the date of the marriage and the lodgment of the police complaint and the fact that there are children borne out of the wedlock and considering the fact that the police filed charge sheet, we are inclined to 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 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 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 392 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)