

15.03.2023

19

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1077 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Indas** Police Station Case No. **120** of **2022** dated **17.10.2022** under Sections 498A/323/307 of the Indian Penal Code, 1860.

And

In Re : Subha Bej

..... petitioner

Mr. Sourav Chatterjee

Mr. Soumya Nag

....for the petitioner

Ms. Faria Hossain

Ms. Baisali Basu

Ms. Mamata Jana

....for the State

Police filed charge-sheet.

There is a previous suit for divorce between the private parties filed prior to the lodgment of the First Information Report.

Apparently, it is the claim of the petitioner that, the de-facto complainant deserted him in the year 2014.

Considering the narration of the events above and the materials in the case diary and considering the fact that the police filed charge-sheet, 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 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.)