

16.02.2023

18

Ct. No. 29

CHC

Allowed

C.R.M.(A) 1122 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dantan** Police Station Case No. **493** of **2022** dated **12.12.2022** under Sections **498A/323/307/406/34** of the Indian Penal Code, 1860 and Sections **3/ 4** of the Dowry Prohibition Act, 1961.

And

In the matter of : Manas Rana

..... petitioner

Mr. Soumyajit Das Mahapatra,

Ms. Madhurai Sinha

....for the petitioner

Mr. Saswata Gopal Mukherji, Ld. P.P.

Mr. Aniket Mitra

....for the State

Petitioner claims that, the de facto complainant left the matrimonial home voluntarily. Such fact was informed to diverse authorities. Petitioner was falsely implicated.

Learned advocate appearing for the State draws attention of the Court to the materials in the case diary including statement of the victim recorded under Section 161 of the Criminal Procedure Code.

Considering the materials in the case diary and considering the nature of incident and considering the fact that the de facto complainant claimed assault while there is no

injury report in the case diary, 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 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 in a fortnight till the conclusion of 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.)