

28.03.2023

Sl.49

Court No.29

(AD)

(Allowed)

C.R.M. (A) 1285 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No.**848 of 2022** dated **30.09.2022** under Sections **498A/307/506/34** of the Indian Penal Code, 1860.

And

In the matter of: **Bikash Biswas**

....petitioner.

Ms. Sananda Bhattacharyya

... for the petitioner.

Mr. Pravas Bhattacharya

...for the State.

Petitioner prays for anticipatory bail.

The police complaint was lodged seven years after the marriage.

Apparently, a police complaint was lodged by the petitioner as husband as to the de facto complaint running away with a different person.

The injury suffered by the de facto complaint was not classified as grievous hurt.

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/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 1285 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)