

29.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1305 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dadpur** Police Station Case No. **35** of **2022** dated **15.02.2022** under Sections 498A/406/307/323/354B/504/34 of the Indian Penal Code, 1860 and under Sections 3/4 of the Dowry Prohibition Act.

And

In Re : Sk Fajal Ali @ Sekh Fajal Ali

..... petitioner

Mr. Sanat Kumar Das

Mr. Sujan Chatterjee

Ms. Souparna Sinha

....for the petitioner

Mr. Bidyut Kumar Roy

Ms. Sima Biswas

....for the State

Police filed charge-sheet.

The police complaint was lodged after 15 years of marriage. Co-accuseds were enlarged on anticipatory bail by the Jurisdictional Court.

Materials in the case diary do not suggest custodial interrogation of the petitioner.

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 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.)