

17.04.2023

Serial no. 06

[Dd]

(Anticipatory bail)

(**Allowed**)

CRM (A) 1430 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Sainthia** Police Station Case No. **15** of **2023** dated **20.01.2023** under Sections **498A/323/307/506** of the IPC and Sections **3/4** Dowry Prohibition Act.

-And-

In the matter of : **Paramashi Banerjee @ Paramasree Banerjee**

... ..Petitioner

Mr. Saiful Alam, Advocate

... .. For the Petitioner

Ms. Sreeparna Das, Advocate

... ..For the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated April 10, 2023.

By the order dated April 10, 2023, offer of the petitioner to pay maintenance at the rate of Rs.20,000/- per month to the de facto complainant was recorded. In view of such offer being made, police was directed to inform the de facto complainant as to the offer made by the petitioner in Court and as to the pendency of the application for anticipatory bail.

Learned advocate appearing for the State relies upon a report which be taken on record.

Annexed to such report is a writing of the de facto complainant by which, she rejected the offer of Rs.20,000/- per month as maintenance. She seeks Rs.25,000/- per month as maintenance.

De facto complainant is aware of the proceeding. She is not represented in Court today.

We are considering an application for anticipatory bail.

The offer of the petitioner made to the de facto complainant stands rejected by the de facto complainant.

We need not enter into the arena of maintenance.

It is made clear that the issue of maintenance is kept open to be decided by the appropriate forum in accordance with law.

The materials in the case diary contain omnibus and general allegations.

In such circumstances, 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 report before the Investigating Officer once in a month till the conclusion of the investigation 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) 1430 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

