

12.05.2023

22
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1969 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Suri** Police Station Case No. **98** of **2023** dated **20.03.2023** under Sections **498(A)/341/323/325/307/354(B)** of the Indian Penal Code and under Sections **3/4** of the Dowry Prohibition Act.

And

In the matter of : Sk. Firoj Hossain

..... petitioner

Mr. Sanjib Kumar Dan,

Mr. Saryati Datta

....for the petitioner

Mr. Debabrata Chatterjee, Ld. A.P.P.

Mr. Santanu Chatterjee

....for the State

In an incident of assault, the injured suffered simple injury.

The allegation of pouring of kerosene remain uncorroborated.

Learned advocate appearing for the petitioner submits on instruction that the petitioner is ready and willing to pay maintenance to the de facto complainant at the rate of Rs.15,000/- per month commencing from the month of May, 2023 and payable within seventh of each following month. He submits that the maintenance for the month of June, 2023 will

be paid by June 7, 2023 and for the months subsequent thereto likewise.

We add that we are placing on record the offer of the petitioner to pay maintenance. We hasten to add that we did not quantify either the amount or the period of maintenance that the de facto complainant would be entitled to. Such issues may be determined by the appropriate forum.

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 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 month 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.)