

19.06.2023

Sl. 181

Court No. 29

sdas

(Allowed)

C.R.M. (A) 2293 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Bolpur Police Station Case No. 318 of 2022 dated 15.10.2022 under Sections 498A/406/307/34 of the Indian Penal Code.

And

In the matter of: **Uday Ghanty**

....petitioner.

Mr. Monish Sen

Ms. Oisani Mukherjee

...for the petitioner.

Mr. S. G. Mukherji, learned PP

Mr. Pratha Pratim Das

Ms. Eshita Dutta

...for the State.

Ms. Ameena Kabir

.... for de facto complainant

1. Heard the learned Counsel for the parties including the Counsel for the informant/wife.
2. The allegation made out, if proved, may attract the ingredients of Section 307 of the Indian Penal Code but it is difficult to say at this stage that prima facie offence under Section 307 of the Indian Penal Code is made out against the petitioner. The main objection of the learned Counsel for the informant/wife is that if the petitioner is released on anticipatory bail or bail he may flee.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner and the apprehension of the informant/wife, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Bolpur Police Station Case No. 318 of 2022

dated 15.10.2022 including the conditions that i) the petitioner shall deposit his passport before the investigating officer of the case; ii) on commencement of the trial the passport may be returned to the petitioner by the trial court on disposal of the application filed to that effect in accordance with law. iii) if the address of the petitioner is changed, he shall inform the investigating officer in course of investigation or the trial court in course of the trial.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being **CRM (A) 2293 of 2023** is disposed of.
6. Arresting Officer is directed to act on the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

