

04.07.2023

Sl. 36

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 2348 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Madhyamgram** Police Station Case No. **527 of 2022** dated **23.10.2022** under Section **195A** of the IPC.

And

In the matter of: **Sanjoy Bairagya**

....petitioner.

Mr. Debapratim Guha

Ms. Anchita Sarkar

...for the petitioner.

Mr. Rudradipta Nandy, APP

Ms. Sonali Das

...for the State.

1. Heard learned Counsel for both the parties.
2. In a typical dispute between husband and wife it is stated to be the third case by the wife against the husband alleging that the petitioner/husband has threatened the victim, who is his son (of the petitioner) not to depose in the POCSO case initiated against the petitioner at the instance of the informant involving in the minor son. The investigation has progressed substantially. The police record speaks up threatening, being present on the spot.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner and substantial progress in the investigation, 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 Madhyamgram P.S. case No. 527 of 2022 dated 23.10.2023 including the conditions that i) the petitioner shall not visit the flat/apartment where his wife and son are staying; ii) the petitioner shall appear before the

- I.O. once in a fortnigh on the day and time fixed by the I.O. till submission of Final Form; iii) the wife and son of the petitioner if they so like or advised may block the call of the petitioner to prevent any untoward incident by the petitioner.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
 5. Within 3 weeks of the receipt of server copy or certified copy of this order, the petitioner is directed to appear before the I.O. alongwith a copy of such order.
 5. Accordingly, the prayer for the anticipatory bail is allowed.
 6. The application being **CRM (A) 2348 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)

