

**13.07.2023**

ML. 25  
Court No. 29  
Suvayan  
(Allowed)

**C.R.M. (A) 2416 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Gangarampur** P.S. Case No. **154 of 2023** dated **14.04.2023** under Sections **498A/325/307/494/506/34** of the IPC corresponding to G.R. case No. **357 of 2023** pending before the learned ACJM, Gangarampur, Buniadpur, Dakshin Dinajpur.

And

In the matter of: **Dibyendu Saha**

....petitioner.

Mr. Kaushik Choudhury  
Ms. Bushra Khatoon

...for the petitioner.

Mr. Imran Ali  
Ms. Debjani Sahu

...for the State.

Mr. Ranojoy Chatterjee

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. It is fairly submitted at the Bar that at the time of filing of charge-sheet the offence under Section 307 IPC has been substituted by 323 IPC alongwith 498A/494 I.P.C. and other allied offences. Charge-sheet having already been filed. We find no requirement of custodial interrogation of the petitioner who is the husband of the informant.
3. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation and filing of charge-sheet, it is directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur within 15 days from today in G.R. case No. 357 of 2023 arising out of aforesaid P.S. case. On his appearance and application for bail the petitioner shall be released on bail on such terms and conditions as deemed just

and proper in the facts and circumstances of the case.

4. The learned Additional Chief Judicial Magistrate is directed to act upon the server copy of this order, if required.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2416 of 2023** is disposed of.

**(Chitta Ranjan Dash, J.)**

**(Apurba Sinha Ray, J.)**

