

02.08.2023
SL. 25
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2715 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **246** of **2023** dated **12.05.2023** under Sections **498A/325/326/308/379/34** IPC.

And

In the matter of: **Jayanta Mandal @ Jayanta Mondal**
....petitioner.

Mr. Kalidas Saha
...for the petitioner.

Mr. N. P. Agarwala
Mr. Pratick Bose
...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner is stated to be the husband of the informant/wife. The injury report produced before us is not sufficient to attract the offence under Sections 325/326/308 IPC at least *prima facie*. There is also omnibus allegation against the petitioner regarding demand of dowry.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, the fact that there is always hope of compromise in matrimonial disputes and such compromise is always in the interest of the family and society, nature of injury as discussed (supra) and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the fact that:

- i) the petitioner is directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.
 - ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
4. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2715 of 2023** is disposed of.
7. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

