

09.08.2023
(D/L 26)
Ct. No.29
Allowed
(SKB)

CRM (A) 3008 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Daspur P.S. Case No.261 of 2023 dated 04.05.2023 under Sections 498A/323/307/406/34 of the Indian Penal Code read with Sections 3 & 4 of the Dowry Prohibition Act.

In the matter of : Tushar Kanti Bera

... petitioner

Mr. Sayan Kanjilal

... for the petitioner

Mr. Bidyut Kr. Roy,
Ms. Rita Datta

... for the State

1. Heard the learned Counsel for the parties.
2. The petitioner is the husband of the informant wife. No injury is found to be sustained by the victim. The FIR is stated to have been lodged after 17 years of marriage and the allegation of dowry etc. are stated to be at the fringe.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of injury as discussed supra, 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 and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and

conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The application being CRM(A) 3008 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)