

11.08.2023

SL. 11

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3022 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **284** of **2023** dated **02.06.2023** under Sections **498A/323/307** IPC read with Sections **3/4** of D.P. Act. (corresponding to G.R. Case No. **1518/2023**).

And

In the matter of: **Firoj Alam @ Firoj**

....petitioner.

Mr. Kunal Ganguly
Ms. Jenifar Alam Megha

...for the petitioner.

Mr. S. G. Mukherji, Ld. PP
Mr. Aniket Mitra
Ms. Jonaki Saha

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner is the husband of the victim/wife. The injury report in respect of the victim does not attract the offence under Section 307 IPC at least *prima facie*.
3. Regard being had to the facts and submission, 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 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 conditions that:

- i) the petitioner is directed to appear before the I.O.

once in a week 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) 3022 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.)

