

23.08.2023
ML. 343
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3148 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Indus** Police Station Case No. **69 of 2023** dated **08.04.2023** under Sections **498A/406/307** of the IPC and Sections **3/4** of the D.P. Act.

And

In the matter of: **Bivash Kanti Ghosh @ Bibhas Kanti Ghosh**
....petitioner.

Mr. Uday Sankar Chattopadhyay
Ms. Trisha Rakshit
Ms. Rajashee Tah
Ms. Aishwarya Datta

...for the petitioner.

Mr. Sudip Kumar

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner is stated to be the husband of the informant. It is fairly submitted at the Bar and found from the injury report placed before us that the injury suffered by the informant is opined to be simple in nature.
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 including the conditions 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 concerned Arresting Officer is hereby directed to act upon the server copy of this order.
- 5. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
- 6. Accordingly, the prayer for the anticipatory bail is allowed.
- 7. The application being **CRM (A) 3148 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

