

24.08.2023
(M/L 397)
Ct. No.29
Allowed
(SKB)

CRM (A) 3209 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with G.R. Case No.1302 of 2023 arising out of the Debra P.S. Case No.199 of 2023 dated 18.04.2023 under Sections 498A/323/307/506/509//34 of the Indian Penal Code read with Section 3/4 of Dowry Prohibition Act.

In the matter of : Avijit Patra @ Abhijit Patra
... petitioner

Mr. Amit Ranjan Pati,
Md. Jawwad
... for the petitioner

Mr. Imran Ali,
Ms. Debjani Sahu
... for the State

1. Heard the learned Counsel for the parties.
2. Petitioner is the husband of the informant. No external injury has been found on the person of the victim during medical examination. As such, the offence under Section 307 IPC is not attracted at least *prima facie*.
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 G.R. Case No.1302 of 2023 arising out of 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:

- i) The petitioner is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
- ii) Petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

- 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) 3209 of 2023 is disposed of.
- 7. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)