

30.08.2023
SL. 70
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3519 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sutahata** Police Station Case No. **141** of **2023** dated **24.04.2023** under Sections **498A/323/325/307/494/506/34** IPC.

And

In the matter of: **Ajaharuddin Saha**

....petitioner.

Mr. Arup Kumar Bhowmick

...for the petitioner.

Mr. Tanmoy Kr. Ghosh, Ld. SGA
Ms. Sonali Bhar

...for the State.

1. Heard learned Counsel for the parties.
2. The present petitioner is the husband of the victim/housewife.
3. From the injury report, it reveals that the victim/housewife has suffered small scratch over her forehead.
4. From the materials as collected so far in course of investigation, it reveals that it is the version of the witnesses in their respective statements as recorded under Section 161 Cr.P.C. that the present petitioner used to inflict torture upon his wife on account of additional demand of dowry. But in our considered view, those are basically omnibus in nature.
5. 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.

6. 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.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3519 of 2023** is disposed of.
9. 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.)

