

19.09.2023
ML. 131
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3738 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Berhampore** Police Station Case No. **862 of 2023** dated **01.07.2023** under Sections **498A/325/307/376/34** of the IPC.

And

In the matter of: **Arghya Debnath**

....petitioner.

Mr. Sumanta Ganguli
Mr. Rajiv Lochan Chakraborty
Mr. Priyanjit Kundu

...for the petitioner.

Mr. Bidyut Kumar Roy
Ms. Sima Biswas

...for the State.

1. Heard learned Counsel for both the parties.
2. Perused the statements of the victim as recorded under Section 164 Cr.P.C. The petitioner is the brother-in-law (husband's brother) of the informant. In her statement under Section 164 Cr.P.C. it has been candidly stated by the informant that she has lodged the written complaint against the present petitioner and the other co-accused persons on account of a misunderstanding.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, 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. 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) 3738 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

