

15.09.2023
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as
[ALLOWED]

C. R. M. (A) 3844 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Pandua Police Station Case No. 260 of 2023 dated 16.05.2023 under Sections 498A/306/511 of the Indian Penal Code.

In Re: **Sk. Abdul Malek @ Sk. Malek.**

... .. Petitioner

Mr. Suman Chakraborty.

... .. for the petitioner

Mr. Debabrata Chatterjee, Id. A.P.P.,

Mr. Santanu Chatterjee.

... .. for the State

1. Petitioner submits he is the brother-in-law of the victim lady. Allegation of harassment and torture are out and out false. He prays for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record including the statement of the victim lady. She stated petitioner used to harass and intimidate her while her husband was away.

4. Under such circumstances, we are of the opinion though custodial interrogation of the petitioner is not necessary but movement of the petitioner requires to be restricted in order to instill confidence in the mind of the victim.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Sk. Abdul Malek @ Sk. Malek** be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2)

of the Code of Criminal Procedure, 1973 and he shall appear before the court below and pray for regular bail within four weeks from date and on further condition that the petitioner while on bail shall not enter the jurisdiction of Pandua Police Station except for the purpose court proceeding and shall provide the address where she shall reside to the Investigating Officer as well as the court below and report to the Officer-in-charge of the Police Station concerned within whose jurisdiction he shall reside once in a week until further orders.

6. The application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)