

25.09.2023
D/L 37
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3937 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ekbalpore P. S. Case No.310 of 2023 dated 02.06.2023 under Sections 498A/406/354/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act(CGR No.1686 of 2023).

In the matter of : Shadab Ahmad

... Petitioner

Mr. Arnab Chatterjee,
Mr. R. K. Roy,
Ms. Poulami Bose

... for the petitioner

Mr. S. G. Mukerji, Id. PP
Mr. Imran Ali,
Ms. Debjani Sahu

... for the State

Mr. Saurav Chaudhuri

... for the defacto complainant

1. Heard learned advocates for the parties.
2. Admittedly, the present case is an outcome of a matrimonial dispute. We have seen the statement of the victim recorded under Section 164 Cr.P.C. where we find there are some unnatural allegations against the co-accused persons. So far as the present petitioner, who is the husband of the informant, is concerned, we find that the allegations levelled against him is basically omnibus in nature.
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 CGR No.1686 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 condition:

- 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.
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 applications being CRM(A) 3937 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.)