

03.10.2023
SL. 45
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3976 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Debra** Police Station Case No. **284** dated **02.06.2023** under Sections **498A/406/323/34** of the IPC read with Sections **3/4** of the D.P. Act.

And

In the matter of: **Nemai @ Nimai Chowdhury**

....petitioner.

Mr. Navanil De
Mr. Rajeshwar Chakraborty
Mr. Srijan Ghosh
Mr. Subhrajit Dey
Ms. Monami Mukherjee

...for the petitioner.

Mr. S. G. Mukherji, PP
Mr. Partha Pratim Das
Ms. Ishita Dutta

...for the State.

1. Heard learned Counsel for both the parties.
2. The present petitioner is the husband of the victim/informant. We have perused the entire materials as placed before us. Though there are some allegations of torture as against the present petitioner but those are 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 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) 3976 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

