

10.10.2023
sdas/tkm/ct 28
spl no. 5

C.R.M. (A) 4334 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mohanpur P.S case no. 140 of 2023 dated 28.5.2023 under sections 498A/323/406/506/34 IPC read with sections 3/4 of the DP Act
And

Allowed

In Re : Dipankar Das petitioner

Mr. A R Pati
Ms. Afreen Begum

..... for the petitioner

Mr. Abhra Mukherjee
Mr. Gautam Banerjee

..... for the State

1. Petitioner submits that the instant case arose out of matrimonial dispute. He prays for anticipatory bail.
2. Learned lawyer for the State submits 'sreedhan' articles have not been recovered. Petitioner is threatening de facto complainant.
3. We have considered the materials on record. Allegations of torture are general and omnibus. Custodial interrogation for recovery of 'sreedhan' articles is necessary but the petitioner requires to co-operate with investigation in this regard.
4. Accordingly, we direct that in the event of arrest, the petitioner shall 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 be subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner while on bail shall meet the investigating officer once in a week until further orders.

5. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

6. The application being CRM (A) 4334 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)