

01.12.2023
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[ALLOWED]

C. R. M. (A) 5207 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Nischinda Police Station Case No. 216 of 2023 dated 06.11.2023 under Sections 498A/406 of the Indian Penal Code.

In Re: ***Soumya Mukherjee.***

... .. Petitioner

Mr. Sourav Chatterjee,
Mr. Joy Chakraborty,
Mr. Sandip Dinda,
Ms. Ipsita Ghosh.

... .. for the petitioner

Mr. Suman De.

... .. for the State

1. Petitioner submits the couple used to reside in Bangalore. Out of her own volition, she returned to her paternal home at Calcutta. She demanded her stridhan articles which were returned. Matrimonial suit is pending by and between the parties. After a lapse of four months, FIR was registered. Petitioner prays for anticipatory bail.
2. Learned Advocate for the State opposes the bail prayer.
2. We have considered the materials on record. The couple married in 2021. They were residing in Bangalore. Allegations of torture are general and omnibus. It is noted in the FIR stridhan articles were returned to her. Matrimonial proceeding is pending by and between the parties. There is delay in lodging the First Information Report.
3. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest, the petitioner viz., **Soumya Mukherjee** be released on bail upon furnishing a bond of Rs.10,000/-each, 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 they shall appear before the court below and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)