

08.06.2023
SL No.19
Court No.1
Sb/Saswata
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 266 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Siliguri Women Police Station Case No.79 of 2022, dated 16.05.2022 under Sections 498A/307 of Indian Penal Code, 1860 read with Section 3/4 of the Dowry Prohibition Act, 1964.

And

In the matter of : **Deep Sutradhar**

- Petitioner.

Mr. Hillol Saha Podder

Ms. Mousumi Das

... For the Petitioner.

Mr. Kallol Acharjee

Ms. Namrata Das

... For the State.

1. The petitioner is the husband of the *de facto* complainant.

Learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the instant case

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

3. Having considered the materials available in the case diary, the nature of involvement of the petitioner in the alleged offence, the nature of injury and the fact that charge sheet has already been filed, we are of the view that custodial interrogation of the accused/petitioner is not necessary and accordingly, we **allow** the prayer for anticipatory bail of the petitioner on the following conditions:

- i. In the event of arrest, the accused/petitioner, namely, **Deep Sutradhar**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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.
 - ii. The petitioner shall cooperate with the investigation.
 - iii. The petitioner shall appear before the court below and pray for regular bail within four weeks from date and shall not leave the jurisdiction of the jurisdictional Court without express leave of the Court.
4. The application for anticipatory bail is, thus, disposed of.
 5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)