

16.11.2023
Serial no.17
(Anticipatory bail)
(Allowed)
(CHC)

*Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side*

CRM (A) 855 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Dhupguri** Police Station Case No. **357/2023** dated **14.07.2023** under Sections **498A/325/307** of the Indian Penal Code read with Section 24 of Maintenance and Welfare of Parents and Senior Citizens Act, 2007.*

-And-

In the matter of : **Kailash Roy**

... .. Petitioner

Mr. Jaydeep Kanta Bhowmik, Advocate

Mr. Sayantan Bhowmik, Advocate

Ms. Rikta Sarkar, Advocate

... .. For the Petitioner

Mr. Kallol Acharjee, Advocate

Mr. Dhiman Sil, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner is the son of the de facto complainant. There are property disputes between the de facto complainant and her husband.

Learned advocate appearing for the State refers to the Case Diary including the injury report of the victim and the Statements recorded under Section 161 of the Criminal Procedure Code.

We find from the Case Diary that the police submitted charge-sheet.

The victim apparently did not suffer grievous hurt.

In view of the police concluding investigation and submitting charge-sheet and in view of the nature of injury suffered, we deem it appropriate to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall 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 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 shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A)855 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)