

D/L 218
January 31, 2023
MNS

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

CRM (A) 759 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 14.12.2022 in connection with Pundibari Police Station Case No. 285 of 2020 dated 10.08.2020 under Section 498A of the Indian Penal Code, 1860.

And

In the matter of: Sumit Ghosh

.... petitioner

Mr. Hillol Saha Podder,
Ms. Mousumi Das

... for the petitioner

Mr. Ujjwal Luksom,
Mr. Dhiman Sil

... for the State

Heard learned counsel for the parties.

In view of the nature of allegations levelled against the petitioner, coupled with the fact that no notice under Section 41A of the Criminal Procedure Code was served on the petitioner, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, CRM (A) 759 of 2022 is allowed, thereby granting anticipatory bail to the petitioner on condition that the petitioner shall satisfy the stipulations in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.5,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Coochbehar. The

petitioner shall make himself available as and when required by the Investigating Officer to do so.

CRM (A) 759 of 2022 is disposed of.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)