

24.01.2024

24
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 203 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **972** of **2023** dated **09.12.2023** under Sections 498A/325/307/34 of the Indian penal Code and 3/4 of the D.P. Act.

And

In Re: Kumaresh Mondal @ Mandal

..... petitioner

Ms. Minoti Gomes

Mr. Amanul Islam

Mr. Sourav Mukherjee

....for the petitioner

Mr. Jaydeep Biswas

...for the State

Petitioner before us is the husband.

We perused the materials in the case diary.

Apparently, an incident of assault took place where the petitioner sustained injury. Petitioner lodged a police complaint, which was received by the police.

The present police complaint was lodged after 9 years of marriage.

Injury report suggests that the defacto-complainant suffered bruise injuries.

Considering the fact that an incident of assault took place where the petitioner also suffered injuries and considering the nature of injuries suffered by the defacto-complainant, we 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/-, 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. The petitioner shall report before the Investigating Officer once a month till the conclusion of the investigation. 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)