

06.03.2024
Item No.30
Ct. No. 29
CHC
Allowed

C.R.M.(A) 282 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar Women's** Police Station Case No. **245/2023** dated **03.12.2023** under Sections **498A/506/307/34** of the Indian Penal Code, 1860 read with Sections **3/ 4** of the Dowry Prohibition Act.

And

In the matter of : Anam Biswas @ Tubai

..... petitioner

Mr. Anirban Das

....for the petitioner

Mr. Sanjib Kumar Dan

....for the State

Mr. Sujay Bandhyapadhyay,

Mr. Jagajyoti Das,

Mr. Pradipta Siddhanta

....for the de facto complainant

The application is taken up for consideration subsequent to the order dated February 19, 2024.

Apparently, de facto complainant before us claims that, she did not authorize filing of Section 22 suit being Suit No. 653 of 2023 (MAT). However, she did not take any steps with regard to such suit except filing of complaint before Bar Council against the advocate concerned.

We perused the letter of complaint.

We find that, she acknowledges that, she executed certain documents in favour of such advocate. She however claims that signatures on such blank papers were obtained on a different

pretext. We make no observation with regard to the conduct of the de facto complainant or the learned advocate.

So far as the present police concerned, petitioner is entitled to the benefit of the doubt.

In such circumstances, 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/- (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 will report before the Investigating Officer once in a month till the conclusion of investigation and on 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 282 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)