

13.02.2024

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Ct. No. 29

S.D.

Allowed

C.R.M.(A) 455 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Daspur** Police Station Case No. **442 of 2023** dated **7.08.2023** under Sections **498A/323/406/506/34** of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

And

In Re : Swarup @ Swarup Kundu @ Swarup Kumar Kundu
..... petitioner

Ms. Sneha Paul
...for the petitioner

Mr. Rana Mukherjee
Mr. Goutam Wilson
...for the State

Marriage was apparently entered into on July 11, 2008.

The police complaint is of August 7, 2023.

We perused the Statement of the defacto-complainant recorded under Section 161 of the Cr.P.C.

Materials in the case diary do not suggest necessity of custodial interrogation of the petitioner.

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/-, 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 will meet before the Investigating Officer once a fortnight 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.)