

23.02.2024

30
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 583 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bolpur Women** Police Station Case No. **46 of 2023** dated **19.11.2023** under Sections **498A/307/34** of the Indian Penal Code, 1860 read with Sections **3/4** of the Dowry Prohibition Act.
And

In Re : **Shyamal Dutta**

..... petitioner

Mr. Kunal Ganguly

...for the petitioner

Ms. Eshita Dutta

...for the State

Case diary does not contain any statement of any neighbour.

Apparently, the defacto-complainant suffered a bruise.

Defacto-complainant recorded a statement under Section 161 of the Cr.P.C. where she is not claiming that the petitioner demanded dowry from her. Apparently, the claim of the defacto-complainant is that the petitioner tried to kill her.

Considering such materials in the case diary, 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 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.)