

29.04.2024

DL-26
Court No.29
(AD)
(Allowed)

C.R.M. (A) 1501 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bolpur** Police Station Case No.**377 of 2023** dated **12.09.2023** under Sections **498A/323/307/506/34** of the Indian Penal Code, 1860 pending before the Learned Additional Chief Judicial Magistrate, Bolpur, Birbhum. (G.R. Case No.970 of 2023).

And

In the matter of: **Manotosh Hazra**

....petitioner.

Mr. Kunal Ganguly
Mr. Kaustav Banerjee

...for the petitioner.

Mr. Rana Mukherjee
Mr. Asraf Mandal

... for the State.

1. Police complaint was lodged fifteen years after marriage. Other co-accuseds were granted anticipatory bail by the jurisdictional Court. Petitioner before us is the husband.
2. De facto complainant recorded her statement under Section 161 of the Code of Criminal Procedure which suggests that she was assaulted.
3. Considering the materials in the case diary, the involvement of the petitioner, we grant anticipatory bail to the petitioner.
4. 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a week till the conclusion of the 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.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. **C.R.M. (A) 1501 of 2024** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)