

14.05.2024
Court No.08
Item No. 03
Allowed

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CRM (A) 1649 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sinthi Police Station Case No. 21 of 2024 dated 02.04.2024 corresponding to G.R. Case No. 600 of 2024 under Sections 498A/406 of the Indian Penal Code read with Section 3 /4 of the Dowry Prohibition Act.

And

In Re: **Shiv Kumar Koeri**

Petitioner

Mr. Partha Pratim Das
Mrs. Manasi Roy
Mr. Monojit Chakraborti

For the Petitioner

Mr. Debasish Roy, Ld. P.P
Mr. Arijit Ganguly
Mr. Koushik Kundu

For the State

Mr. Navanil De
Mr. Rajeswar Chakraborty
Mr. Srinjan Ghosh
Mr. Subhrajit Dey
Ms. Monami Mukherjee
Mr. Shoumilya Mazumder

For the De-facto Complainant

1. Learned counsel for the petitioner submits that he has been falsely implicated in the instant case and he is innocent. The petitioner has a happy conjugal married life since 26th December, 2008.
2. Learned counsel for the State as well as the de-facto complainant has opposed the prayer for anticipatory bail. Learned counsel for the State, however, submits that the petitioner has complied with the notice under Section 41A of the Code of Criminal Procedure.

3. Considering the materials available in the case diary and the nature of involvement of the petitioner in the commission of alleged offence and having regard to the fact that the petitioner has complied with the notice under Section 41A of the Code of Criminal Procedure, we are of the view that custodial interrogation of the petitioner is not necessary.
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/-, with two registered sureties of like amount each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall meet the Investigating Officer twice in a week till the submission of the final report and shall not leave the territorial jurisdiction, except with the permission of the learned Trial Court till the submission of the final report.
5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. CRM (A) 1649 of 2024 is, thus, disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)