

15.05.2024
Court No.08
Item No. 04
Allowed

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CRM (A) 1692 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Garhbeta Police Station Case No. 557 of 2023 dated 20.12.2023 corresponding to G.R. Case No. 753 of 2023 under Sections 498A/323/325/354/307 of the Indian Penal Code read with Section 3 /4 of the Dowry Prohibition Act.

And

In Re: **Robial Mondal**

Petitioner

Ms. Pampa Dey (Dhabal)

For the Petitioner

Mr. Antarikhya Basu

Miss Nahid Ahmed

For the State

1. The petitioner is the husband of the de-fact complainant.
2. Learned counsel for the petitioner submits that the complainant left the matrimonial home and did not return to the matrimonial house with her minor child. It is submitted that the petitioner has been falsely implicated in the instant case.
3. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the complaint. However, it appears that no injury is available on record. The complainant also did not offer herself for the medical examination.
4. Considering the materials available in the case diary and the nature of involvement of the petitioner in the commission of alleged offence and in absence of any injury report, we are of the view that custodial interrogation of the petitioner is not necessary.

5. 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.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. CRM (A) 1692 of 2024 is, thus, disposed of.
8. 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)