

17.05.2024
SL No.4
Court No.8
(gc)
(Allowed)

CRM (A) 1718 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Nabadwip Police Station Case No.142 of 2024 dated 05.03.2024 under Sections 498A/325/307/406/34 of the Indian Penal Code.

And

In the matter of : **Debashis Ghosh**

- Petitioner.

Ms. Sangeeta Chakraborty
... For the Petitioner.

Md. Anwar Hossain
Mr. Soumya Basu Roy Chowdhuri
... For the State.

1. The petitioner is the husband of the de-facto complainant.
The petitioner alleged that he has been falsely implicated as he could ascertain the extra marital affair of his wife. He was assaulted by paramour of his wife for which he lodged a complaint on 29th February, 2024.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the injury report.
3. Considering the materials available in the case dairy, the nature of the injury and the fact that the wife has lodged a complaint on 5th March, 2024 after the petitioner lodged a complaint on 29th February, 2024 and it appears to be a marital dispute between the parties, we are of the view

that the custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Debashis Ghosh**, be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the present accused petitioner shall meet the Investigating Officer of this case once in a week and shall not leave the territorial jurisdiction of the learned Trial Court till submission of the final report except with the permission of the jurisdictional court.
5. The application for anticipatory bail is, thus, disposed of.
6. 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.)