

18.07.2024
Sl No. 11
Court No. 29
TN
(Allowed)

CRM (A) 1980 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Pandua Police Station Case No. 214 of 2023 dated 29.04.2023 under Sections 498A/323/326/313/307/406/34 of the Indian Penal Code.

And

In the matter of : **Sk. Mainul Hasan @ Moinul Sk.**

- petitioner

Mr. Suman Chakraborty

....for the petitioner

Mr. Amit Singh

... for the *de facto* complainant

Mr. Arnab Chatterjee,
Mr. Tirupati Mukherjee

....for the State

1. Pursuant to our earlier order, the statement of the *de facto* complainant recorded under Section 164 of the Code of Criminal Procedure forwarded by the learned Trial Court in an envelope duly sealed has been opened.
2. We have read the statement of the *de facto* complainant. In her statement, she has categorically stated that she left the matrimonial house after a quarrel with her husband and now she has returned to her matrimonial home and all disputes have been amicably settled. She is not facing any difficulty in her matrimonial home at present. The said statement shall be re-sealed and forwarded to the learned Chief Judicial Magistrate, Hooghly by the department within a week from date.

3. In view of the above, 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, namely, **Sk. Mainul Hasan @ Moinul Sk.** shall be released on bail upon furnishing a bond of Rs.5,000/-, with two registered sureties of like amount each, 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.
5. It is further directed that the present accused petitioner shall appear before the learned Chief Judicial Magistrate, Hooghly within two weeks from date and pray for regular bail.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)