

22.07.2024

Court No.29

Item No. 05

Allowed

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CRM (A) 2012 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No. 109 of 2024 dated 18.02.2024 corresponding to S.L No. 333 of 2024 under Sections 498A/307/325/406/34 of the Indian Penal Code and Sections 3/4 of the D.P Act.

And

In Re: **Narayan Haldar**

Petitioner

Ms Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Saptarshee Pakrashy

For the Petitioner

Mr. Arindam Sen
Mr. Poulami Bose

For the State

Mr. Arijit Bhusan Bagchi
Mr. Nikhil Kumar Gupta

For the De-facto Complainant

1. Pursuant to our earlier direction learned counsel for the de-facto complainant has submitted on instruction that the petitioner and the de-facto complainant are living happily at their matrimonial home. He is innocent and has been falsely implicated in the instant case on the basis of statement of the co-accused.
2. In view of the above and the fact that the charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Narayan Haldar** shall be released on bail upon furnishing a bond of Rs.2,500/-, with two registered sureties of like amount each, 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 and on further condition that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Tehatta, Nadia corresponding to S.L No. 333 of 2024 within two weeks from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
5. 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)