

04.07.2024
SL No.22
Court No.29
TN
(Allowed)

CRM (A) 2101 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Mothabari Police Station Case No.255 of 2023 dated 23.07.2023 under Sections 498A/323/308 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act and Section 4 of the Muslim Women Protection of Rights on Marriage Act, 2019.

And

In the matter of : **Kamal Hossain Nadap.**

- petitioner.

Mr. Md. Wasim Akran

....for the petitioner.

Mr. Sandip Chakraborty,
Ms. Kanchan Roy

... for the State.

1. Considering the materials available in the case diary, the nature of the injury and the extent of complicity of the petitioner in the commission of the alleged offence, we allow the application for anticipatory bail of the petitioner.
2. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Kamal Hossain Nadap** shall 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.
3. It is further directed that the present accused petitioner shall appear before the learned Chief Judicial Magistrate at Malda

in connection with GR Case No. 4860 of 2023 within two weeks from date and pray for regular bail.

4. It is further directed that the petitioner shall appear each and every date of hearing before the jurisdictional court on and from the date fixed for appearance of the accused and in default the jurisdictional court will pass appropriate order to secure presence of the petitioner in court including cancelling the anticipatory bail granted without further reference to this court.
5. Accordingly, the application for anticipatory bail is disposed of.
6. 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.)