

02.08.2024

Court No.29

Item No. 14

Allowed

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CRM (A) 2252 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chakdah Police Station Case No. 638 of 2024 dated 15.06.2024 corresponding to Serial No. 1297 of 2024 under Section 498(A) of the Indian Penal Code.

And

In Re: Arindam Dutta & Ors.

Petitioners

Mr. Shibaji Kumar Das
Mr. Dipendu Sarkar
Ms. Deblina De

For the Petitioners

Mr. Anar Hossain
Md. Sayeed Khan

For the State

Mr. Aritra Bhattacharya

For the De-facto Complainant

1. Learned counsel for the petitioners submits that pursuant to our earlier direction they have appeared before the I.O and complied with the notice under Section 41A Cr.P.C.
2. Learned counsel for the State has produced the acknowledgement receipts and submits that all relevant documents have been seized vide seizure memo.
3. Learned counsel for the de-facto complainant has, however, opposed the prayer for anticipatory bail.
4. Considering the materials available in case diary and the fact that the nature of dispute is between the parties and having regard to the fact that the petitioners have complied with the notice under Section 41A Cr.P.C and given an undertaking before the I.O that they shall comply with

further notice, we are of the view that custodial interrogation of the petitioners is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Arindam Dutta, Manik Dutta and Aparajita Dutta** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two 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 nos. 1 and 2** shall meet the Investigating Officer once in a week or as and when called for till the submission of the final report and the **petitioner no. 3** shall cooperate with the investigation and on further condition that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Kalyani, District-Nadia, within two weeks from date in connection with Serial No. 1297 of 2024. 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.
6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
7. 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)

