

09.07.2024
SL No. 56
Court No.29
TN
(Allowed)

CRM (A) 2269 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Tamluk Police Station Case No. 493 of 2024 dated 06.06.2024 under Sections 498A/417 IPC.

And

In the matter of : **Tapas Kumar Mahapatra.**

- petitioner.

Mr. Swapan Kumar Mallick,
Mr. Abhindaba Mukherjee

.... for the petitioner

Mr. Subrata Roy,
Mr. Asraf Mondal

... for the State.

1. The petitioner is the maternal uncle of the accused named in the FIR by the *de facto* complainant.
2. The learned counsel for the State has produced the case diary. The learned counsel for the State has submitted that Snehasish Ganguly claims to have married the *de facto* complainant and their relationship was not accepted by the family members of Snehasish Ganguly which resulted in the said complaint.
3. Considering the materials available in the case diary, the nature and extent of involvement of the petitioner in the commission of the alleged offence, 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, **Tapas Kumar Mahapatra** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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. The petitioner shall meet the Investigating Officer of this case as and when required till submission of the final report.
6. It is further directed that the present accused petitioner shall appear before the learned Chief Judicial Magistrate, Purba Medinipur at Tamluk within two weeks from date and pray for regular bail.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)