

19.08.2024  
SL No.03  
Court No.29  
(b.das)  
(Allowed)

**CRM (A) 2317 of 2024**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Sankrail Police Station Case No.387 of 2024 dated 24.05.2024 under Sections 498A/406 of the Indian Penal Code.

And

In the matter of : **Sanjoy Das @ Sanjay Das**

- Petitioner.

Md. Abdur Rakib  
Mr. Basher Mir  
Mr. Mojahid Mehedi

....For the Petitioner.

Mr. Sudip Kumar,  
Mr. Santanu Deb

... For the State.

Mr. Abhinav Rakshit

...for the de facto complainant.

1. Report filed by the State is taken on record.
2. Heard the learned Counsel for the parties.
3. The petitioner is husband. It is submitted that due to matrimonial dispute a false complaint has been lodged by the de facto complainant on the previous occasion.
4. We directed the petitioner to appear before the investigating officer and co-operate in the investigation.
5. Admittedly, no notice was served upon the petitioner under Section 41A of the Code of Criminal Procedure.
6. It appears from the report of the investigating officer that the petitioner is co-operating in the investigation. It further reveals that the de facto complainant has refused to take back the Streedhan articles although offered. The injury also appears to be simple.

7. In view of the above, we are inclined to grant anticipatory bail to the petitioner.
8. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sanjoy Das @ Sanjay Das**, 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 corresponding to Section 482(2) of the BNSS, 2023 and the petitioner shall meet the I.O. once in a fortnight till the submission of the final report.
9. It is further directed that the petitioner shall appear before the learned Chief Judicial Magistrate, Howrah in connection with G.R. Case No.2540 of 2024 within two weeks from date.
10. Accordingly, the application for anticipatory bail is disposed of.
11. 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.)**