

16.08.2024

Court No.29

Item No.07

Allowed

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CRM (A) 2346 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 in connection with Chanchal Police Station Case No. 943 of 2024 dated 26.07.2023 corresponding to G.R Case No. 2248 of 2023 under Sections 498A/323/313/308/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In Re: **Abdul Barek**

Petitioner

Ms. Minoti Gomes
Mr. Kaushik Biswas
Mr. Shanta Sarkar
Mr. Debojyoti De

For the Petitioner

Ms. Rajnandini Das

For the State

Mr. Subham Bhakat

For the De-facto Complainant

1. In terms of our earlier order, the statement of the de-facto complainant has been recorded under Section 164 Cr.P.C.
2. Considering the statement of the wife exonerating the husband and the fact that they are residing together, 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, **Abdul Barek** shall be released on bail upon furnishing a bond of Rs.3,000/-, 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. The petitioner shall meet the I.O once in a month till the submission of the final report. 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)