

29.07.2024
SL No.41
Court No.29
(gc)
(Allowed)

CRM (A) 2515 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of BNSS, 2023 filed in connection with Asansol Women Police Station Case No.41 of 2024 dated 26.05.2024 under Sections 498A/323/307/506/34 of the Indian Penal Code.

And

In the matter of : **Saikat Sarkar**

- Petitioner.

Mr. Milon Mukherjee, Sr. Adv.,

Mr. Smartajit Sarkar

....For the Petitioner.

Mr. Sakabda Roy,

Mr. Anindya Halder

....For the De facto Complainant.

Mr. Ranabir Roychowdhury,

Mr. Tirthankar Dhali

... For the State.

1. Mr. Milon Mukherjee, learned Senior Counsel appearing on behalf of the petitioner submits that due to matrimonial dispute, a false complaint has been lodged against the petitioner.
2. The learned Counsel for the State and the de facto complainant have opposed prayer for anticipatory bail.
3. Considering the materials available in the case diary, the statement of the victim and the nature and extent of complicity of the petitioner in the commission of the alleged offence and the medical report, we are of the view that the custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Saikat Sarkar**, 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 week till the submission of the final report. It is further directed that the petitioner shall appear before the Jurisdictional Court in connection with G.R. Case No.1424 of 2024 within two weeks from date.

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.)