

21.08.2024
SL No.36
Court No.29
(gc)
(Allowed)

CRM (A) 2576 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 Kharagpur All Women Police Station Case No.32 of 2024 dated 25.06.2024 under Sections 498A/323/307/406/509/34 of the Indian Penal Code, Section 3/4 of the Dowry Prohibition Act.

And

In the matter of : **Ashis Kumar Awasthi**

- Petitioner.

Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha,

....For the Petitioner.

Mr. Anindya Sundar Chatterjee

... For the State.

Ms. Sibangi Chattopadhyay

....For the De facto Complainant.

1. Heard the learned Counsel for the parties including the Advocate representing the de facto complainant appointed by the High Court Legal Services Committee.
2. The victim has been duly served.
3. Considering the materials available in the case diary and having regard to the fact that after the notice for restitution of conjugal right dated 13th June, 2023 the FIR has been lodged and there is a possibility that the petitioner may not be present at the matrimonial house on 22nd June, 2024 and also taking into consideration the nature of injury which appears to be simple in nature, 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, **Ashis Kumar Awasthi**, 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 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.

5. It is further directed that the petitioner shall appear before the learned Chief Judicial Magistrate, Paschim Medinipur in connection with G.R. Case No.502 of 2024 within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. 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.)