

02.09.2024

Court No.29

Item No.15

Allowed

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CRM (A) 2800 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 Santipur Police Station Case No. 853 of 2024 dated 23.06.2024 corresponding to G.R Case No. 2747 of 2024 under Sections 498A/447/376/506/34 of the Indian Penal Code.

In Re: **Bikash Chandra Dey**

Petitioner

Mr. Khalid Hasan

Md. Musa Desai For the Petitioner

Mr. Rudradipta Nandy

Mr. Ammanul Islam For the State

Mr. Moyukh Mukherjee

Mr. Abhijit Singh

Mr. Sarthak Mondal For the De-facto Complainant

1. The petitioner is the brother-in-law of the husband of the de-facto complainant.
2. Learned counsel for the State and de-facto complainant have opposed the prayer for anticipatory bail. It is submitted by the State that the statement of the victim directly implicates the petitioner.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence, and having regard to the fact that the incident allegedly occurred in the complainant's parents house and there being a family/matrimonial dispute, a case under Section 498A has been initiated, 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 **Bikash Chandra Dey**, shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 corresponding to Section 482(2) of the BNSS, 2023. The petitioner shall meet the I.O once in a week till the submission of the final report and on further condition that the petitioner shall appear before the **learned Additional Chief Judicial Magistrate, at Ranaghat, Nadia**, within two weeks from date in connection with **G.R Case No. 2447 of 2024**. 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.
5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Shampa Dutt (Paul), J)