

09.09.2024

Court No.29

Item No.04

Allowed

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CRM (A) 3010 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pukhuria Police Station Case No. 421 of 2023 dated 16.09.2023 corresponding to G.R Case No. 3059 of 2023 under Sections 498A/494/307/376 of the Indian Penal Code read with Sections 4 of the Dowry Prohibition Act.

In Re: **Saddam Hosain @ Saddam Hossain**

Petitioner

Mr. Sujoy Sarkar

Mr. Saptarshee Pakrashy

Mr. Rahul Chachar

For the Petitioner

Mr. Pravas Bhattacharyya

Mr. Sudeshna Das

For the State

1. In spite of notice upon the victim, the victim is not represented. The service is taken on record.
2. The petitioner is the husband of the victim lady. We have carefully read the statement of the victim recorded under Section 164 Cr.P.C in which she has not made any specific allegation against 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, as reveals from the case diary and considering the medical report, 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, **Saddam Hosain @ Saddam Hossain** shall be released on bail upon furnishing a bond of Rs.5,000/-, 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 fortnight till the submission of the final report and on further condition that the petitioner shall appear before the **learned Additional Chief Judicial Magistrate, Chanchal, Malda**, within two weeks from date in connection with **G.R Case No. 3059 of 2023**. 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)