

10.09.2024
SL No.24
Court No.29
(gc)
(Allowed)

CRM (A) 3042 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 Taltala Police Station Case No.47 of 2024 dated 26.05.2024 under Sections 498A/406/506/509/354/323/34 and added Sections 313/307 of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

And

In the matter of : **Shoaib Ahmad @ Shaoeb Ahmad**

- Petitioner.

Mr. Subhajit Chowdhury,

Mr. D. Kar,

....For the Petitioner.

Mr. Arindam Sen,

Mrs. Manasi Roy

... For the State.

Mr. Aniruddha Bhattacharyya,

Mr. Uttam Mukherjee,

Ms. Rai Das

....For the De facto Complainant.

1. In terms of the earlier direction, the petitioner appeared before the Investigating Officer and has cooperated with the investigation. Seizure list mentioning 68 items representing Stridhan have been returned to the de facto complainant.
2. The learned Counsel for the de facto complainant submits that various other gold ornaments have not been returned.
3. However, considering the nature of the dispute between the parties and that the petitioner appears to have substantially complied with our earlier direction, 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, **Shoaib Ahmad @ Shaoeb Ahmad**, 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 on further condition that 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 Additional Chief Judicial Magistrate-(II) at Kolkata in connection with G.R (NS) Case No.318 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.)

(Prasenjit Biswas, J.)