

04.09.2024

Court No.29

Item No.23

Allowed

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CRM (A) 3069 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ranigunj Police Station Case No. 211 of 2024 dated 25.06.2024 corresponding to G.R Case No. 1640 of 2024 under Sections 498A/323/325/326/448/506/34 of the Indian Penal Code.

In Re: **Sujit Kumar Nunia**

Petitioner

Md. Zeeshanuddin
Ms. Amrin Khatoon
Mr. Rishav Kar

For the Petitioner

Mr. Anowar Hossain
Ms. Baishakhi Chatterjee

For the State

1. Leave is granted to correct the cause title regarding the date.
2. Learned counsel for the petitioner submits that after 21 years of marriage a false complaint has been lodged against the petitioner by the de-facto complainant. It is submitted that the de-facto complainant and her son and daughter-in-law pressurized him for transferring his properties in their favour, which he refused resulted a false complaint has been lodged.
3. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the injured and the injury report.
4. Considering the materials available in the case diary, the nature of allegation and complicity of the petitioner in the commission of the alleged offence and 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.

5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sujit Kumar Nunia** 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, 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 Chief Judicial Magistrate, Asansol**, within two weeks from date in connection with **G.R Case No. 1640 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.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
7. 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)