

05.09.2024
Court No.29
Item No. 36

Allowed
sg

CRM (A) 3101 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Ahmerst Street Women Police Station Case No. 1 of 2024 dated 28.02.2024 under Sections 498/313/406/354/354A/509/506/34 of the Indian Penal Code read with Sections 3 & 4 of D.P. Act, pending before the learned Chief Metropolitan Magistrate-II at Calcutta.

And

In Re: **Tarak Nath Shaw**

Petitioner

Mr. Uttam Kumar Shaw
Mr. Dhruv Surana
Ms. Meera Agarwal

For the Petitioner

Mr. Atif Ahmed Siddiqui

For the State

1. Hearing the parties and considering the materials available in the case diary, the nature of allegation against the present petitioner who is the brother-in-law of the defacto complainant, which appears to be general in nature and the statement recorded under Section 164 of the Code of Criminal Procedure and also considering the fact that the specific allegation is against the husband and sister-in-law and the husband is now in custody, we are of the view that custodial interrogation of the present petitioner is not necessary.
2. Accordingly, we direct that in the event of arrest the petitioner namely, **Tarak Nath Shaw**, shall be released on bail upon furnishing a bond of Rs.5,000/-, with two registered sureties of like amount each, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure corresponding to Section

482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioner shall meet the I.O. as and when required.

3. In the event the petitioner fails to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel his bail in accordance with law without any further reference to this Court.
4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
5. 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.)