

24.09.2024
AD-05
Court No.29
TN
(Allowed)

CRM (A) 3106 of 2024

In Re:- An application under Section 438 of the Code of Criminal Procedure, 1973/under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Hasnabad Police Station Case No. 366 of 2023 dated 26.08.2023 under Sections 498A/406/494/325/307/34 of the IPC, 1860; and Section 4 of the Dowry Prohibition Act.

And

In the matter of: **Fajer Gazi**

.... petitioner

Mr. Pronojit Roy

....for the petitioner

Mr. Subhamoy Bhattacharya,
Mr. Jishan Iqubal Hossain

....for the State

Ms. Anita Kaunra,
Anubrata Dutta

....for the *de facto* complainant

1. The report filed by the Investigating Officer pursuant to earlier direction is kept with the record.
2. It appears that the parties have cooperated in the investigation.
3. Having regard to the nature of the dispute, the nature and extent of complicity of the petitioner in the commission of the alleged offence and also having regard to the fact that charge sheet has already been filed, 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, **Fajer Gazi** 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.

5. It is further directed that the present accused petitioner shall appear before the learned Additional Chief Judicial Magistrate, Basirhat, North 24-Parganas within two weeks from date.
6. It is further directed that the petitioner shall appear each and every date of hearing before the jurisdictional court on and from the date fixed for appearance of the accused and in default the jurisdictional court will pass appropriate order to secure presence of the petitioner in court including cancelling the anticipatory bail granted without further reference to this court.
7. Accordingly, the application for anticipatory bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)