

11.09.2024
Court No.29
Item No. 37

Allowed
sg

CRM (A) 3242 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the BNSS, in connection with Pandaveswar Police Station Case No. 41 of 2024 dated 02.03.2024 under Sections 498A/323/325/307/406/506/354/34 of Indian Penal Code and under Section 3/4 of D.P. Act.

And

In Re: **Sailendra Paswan @ Sailendra Kumar @ Shailendra Kumar @ Shailendra Kr. & Anr.**

Petitioners

Mr. Sk. Salim

For the Petitioners

Mr. Joydeep Roy

Ms. Suparna Chatterjee

For the State

1. We have heard the learned Counsel for the parties.
2. The petitioner no.1 is the husband and the petitioner no.2 is the married sister-in-law of the victim. It appears that over matrimonial dispute an incident took place in which it is alleged that the petitioner no.1 has assaulted the victim.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of alleged offence and the nature of injury which appears to be simple, we are of the view that custodial interrogation of the present petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Sailendra Paswan @ Sailendra Kumar @ Shailendra Kumar @ Shailendra Kr. and Gita Devi @ Gita Kumari**, shall be released on bail

upon furnishing a bond of Rs.10,000/- each with two registered sureties of like amount each, 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 Bharatiya Nagarik Suraksha Sanhita. The petitioner nos. 1 shall meet the I.O. once in a week and the petitioner no.2 shall cooperate with the investigation till the submission of the final report. The petitioners shall appear before the learned Trial Court within two weeks from date.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
6. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Prasenjit Biswas, J.)