

03.01.2024

Sl.95

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4425 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** Police Station Case No.**184 of 2023** dated **08.04.2023** under Sections **498A/325/308/34** of the Indian Penal Code, 1860, read with Sections **3/4** of Dowry Prohibition Act, 1961, Corresponding to G.R. Case No.2132 of 2023.

And

In the matter of: **Pappu Singh @ Pappu Singha**

....petitioner.

Ms. Minoti Gomes

... for the petitioner.

Mr. Debasish Roy, Ld. PP

Mr. Aniket Mitra

Ms. Jonaki Saha

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023 passed by the Coordinate Bench.

By such order, the interim anticipatory bail was granted to the petitioner.

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We considered the materials in the case diary.

Petitioner before us is the husband.

Apparently, the petitioner is 60 per cent disabled.

The de facto complainant was assaulted. She suffered simple injuries.

The police complaint was lodged eight years after marriage.

Need for custodial interrogation of the petitioner is not felt.

In such circumstances, we confirm the interim order dated

October 16, 2023.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner shall appear on every date 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 the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4425 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)