

22.01.2024

Serial no. 110

Anticipatory bail

[Allowed]

Dd

CRM (A) 4720 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Goghat** Police Station Case No. **284** of **2023** dated **September 10, 2023** under Sections **498A/307/406/34** of the Indian Penal Code, 1860 and Section **4** of Dowry Prohibition Act.
(G.R. Case No. 1371 / 2023)*

-And-

*In the matter of : **Sk. Saidul Alam***

*... .. **Petitioner***

*Mr. Tanmay Chowdhury,
Ms. Ritoprita Ghosh, Advocate
... .. For the Petitioner*

*Md. Rafiqul Islam,
Ms. Sutapa Banerjee, Advocates
... ..For the State*

Petitioner is the husband. Petitioner offers to pay maintenance at the rate of Rs.10,000/- per month commencing from the month of January, 2024 and payable within 15 of the next month to the de facto complainant.

Learned advocate appearing for the petitioner submits that the previous order dated January 9, 2024 along the application for anticipatory bail was served upon the de facto complainant.

Affidavit-of-service filed in Court be taken on record.

Despite service none appearing for the de facto complainant.

In view of the petitioner offering to pay maintenance at the rate to Rs.10,000/- per month to the de facto complainant, it would be appropriate to permit the petitioner to do so.

Petitioner will pay maintenance at the rate of Rs.10,000/- per month to the de facto complainant commencing

from the month of January, 2024 and payable by the 15th of next month, month by month until further orders of an appropriate Court. The quantum and the direction for payment will abide by the result of the competent Court relating to maintenance.

In view of the stand taken by the petitioner and in view of the materials in the case diary, we grant anticipatory bail to the petitioner.

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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 4720 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

