

10.01.2024
223
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 4879 of 2023

An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nabadwip** Police Station Case No. **518** of **2023** dated **12.09.2023** under Sections 498A/307 and Section 34 of the Indian penal Code.
And

In Re : Malay Nandi (Husband)
..... petitioner
Mr. Arindam Jana
Mr. Saptarshi Banerjee
Mr. Kuntal Banerjee
....for the petitioner
Ms. Sreeparna Das
...for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 18, 2023 passed by the Coordinate Bench.

By such order dated October 18, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We perused the materials in the case diary.

The allegations are omnibus and general in nature so far as the petitioner is concerned.

Petitioner is the husband.

Apparently, the allegations are against the in-laws.

In such circumstances, we confirm the interim order dated October 18, 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/-, 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. The petitioner will report before the Investigating Officer as and when called for. 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)