

29.10.2024
Sl. No.8
akd/AP
[ALLOWED]

C. R. M. (A) 3804 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 22.10.2024 in connection with Topsia Police Station Case No.142 of 2024 dated 04.10.2024 under Sections 85/316(2)/351(2) of the BNS, 2023 and Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.1842 of 2024)

And

In Re: ***Ritesh Choudhary***

... .. Petitioner

Mr. Satadru Lahiri
Ms. Ankita Bose

... .. for the petitioner

Ms. Sukanya Bhattacharya
Mr. Nirupam Dhali

... .. for the State

1. The petitioner prays for anticipatory bail. It has been alleged that the petitioner was married to the de-facto complainant eight years ago. They have been living peacefully in their matrimonial life.
2. Learned Advocate for the petitioner also submits that the dispute between the petitioner and the de-facto complainant is with regard to a company as mentioned in the petition of complaint. Entire dispute arises out of the aforesaid dispute with regard to the management of the affairs of the said company.
3. Having considered the materials in the case diary, statements recorded under Section 161 of the Code of Criminal Procedure and also that the petitioner has instituted a suit being Title Suit No. 291 of 2024 before the learned Civil Judge (Junior Division), Bidhannagar and the civil court has passed an order on 24.09.2024 restraining the defendants i.e. the de-facto complainant and her men and agents from creating any obstruction to the plaintiff/petitioner's entry into the suit property, we are inclined to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest, the petitioner, namely **Ritesh Choudhary**, 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 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, 2023 and on condition that the petitioner shall meet the Investigating Officer once in a month until conclusion of 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.

5. The application for anticipatory bail being CRM (A) 3804 of 2024 is thus allowed.

6. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Md. Shabbar Rashidi, J.)

(Hiranmay Bhattacharyya, J.)