

02.02.2024
ML.753
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5476 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kandi** Police Station Case No.**498 of 2023** dated **23.08.2023** under Sections **498A/406/307/376/34** of the Indian Penal Code and Sections **3/ 4** of Dowry Prohibition Act . (G.R Case No.1602 of 2023).

And

In the matter of: **Sandip Ganguly**

....petitioner.

Mr. Kallol Kumar Basu
Md. Jannat ul Firdous

...for the petitioner.

Mr. Koushik Kundu

... for the State.

Apparently, there are family disputes between the private parties. There is a previous police complaint lodged at the behest of the mother-in-law of the petitioner against the de facto complaint. The present police complaint was lodged thereafter claiming rape and assault.

Medical report suggests that an incident of assault took place.

No foreign body was found on the private parts of the victim.

In such circumstances, 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 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) 5476 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)