

07.02.2024

Serial no. 39

Anticipatory bail

[Allowed]

Dd

CRM (A) 5543 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Raniganj** Police Station FIR No. **451** of **2023** dated **03.11.2023** under Sections **498A/376/406/120B/34** of the Indian Penal Code, 1860.*

(G.R. Case No. 3090/2023)

-And-

*In the matter of : **Sneha Agarwal***

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

*Mr. Arindam Jana,
Mr. Pintu Karar,
Mr. Akashdeep Mukherjee,
Mr. Sayani Manna,
Mr. S. Naskar, Advocate
... .. For the Petitioner*

*Mr. Debasish Roy, APP
Mr. Navanil De, Advocates
... ..For the State*

Learned advocate appearing for the State submits that Investigating Officer is personally present and that such Investigating Officer tendered apology to the learned advocate for the State.

In such view, personal appearance of the Investigating Officer is dispensed with.

The case diary in the present police complaint contains, *inter alia*, statement recorded under Section 164 of the Criminal Procedure Code which does not suggest requirement of custodial interrogation of the petitioner before us.

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 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 cooperate with the investigations 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) 5543 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)