

29.02.2024

DL-31

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5541 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ghatal** Police Station Case No.**351 of 2023** dated **29.10.2023** under Sections **498A/323/325/307/406/506/34** of the Indian Penal Code, 1860 read with Sections **3/4** of the Dowry Prohibition Act.(G.R. Case No.1115 of 2023).

And

In the matter of: **Anup Bera**

....petitioner.

Mr. Krishan Ray
Mr. Apurba Ghosh

...for the petitioner.

Mr. Soumik Ganguli

... for the State.

Petitioner relies upon mediation document which was held with the intervention of the village persons with regard to the matrimonial issues between the petitioner and the de facto complainant.

It is claimed on behalf of the petitioner that the de facto complainant left the matrimonial home voluntarily and that she was with some other person.

Learned Advocate appearing for the State submits that the petitioner should cooperate in recovering the stridhan articles.

Considering the materials in the case diary, we do not feel the need for custodial interrogation of the petitioner.

Consequently, 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 week 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) 5541 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)