

29.04.2024
SL No.147
Court No.1
(gc)
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 369 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Madarihat Police Station Case No.43 of 2024, dated 2nd April, 2024 under Sections 498A/494/307 of the Indian Penal Code.

And

In the matter of : **Sukalyan Ghosh**

- Petitioner.

Mr. Hillol Saha Podder,
... For the Petitioner.

Mr. Ujjwal Luksom,
Mr. Kallol Nag
... For the State.

1. Heard.
2. Prayer for anticipatory bail has been opposed by the State.
3. Admittedly, the present accused petitioner is the husband of the victim against whom there is an allegation of physical torture and mental harassment.
4. In the Case Diary, however, we do not find any injury report of the victim.
5. Regard being had to the facts and circumstances of this case and the nature of allegation, we are inclined to grant anticipatory bail to the petitioner.

6. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sukalyan Ghosh**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered 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. It is further directed that the present accused petitioner shall meet the Investigating Officer of this case once in a week till submission of the final report and also with a further condition that the present accused petitioner shall appear before the learned Trial Court on each and every date of substantive hearing subject to the provision of Section 317 of the Cr.P.C.
7. The application for anticipatory bail is, thus, disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)