

05.11.2024
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SG
[ALLOWED]

C. R. M. (A) 3773 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Shibpur Police Station Case No. 421 of 2024 dated 23.09.2024 under Sections 85/115(2)/316(2)/351(2)/79/3(5) of the Bharatiya Nyaya Sanhita, 2023.

In Re: Ashunath Bhattacharjee

... .. Petitioner

Mr. Sourav Koley.

... .. for the petitioner

Mrs. Subhashree Patel,
Ms. Trisha Rakshit.

... .. for the State

1. Petitioner is the husband of the victim lady. He submits stridhan articles have been seized and custodial interrogation for progress of investigation is not necessary. Co-accused have been granted anticipatory bail. He also prays for anticipatory bail.
2. Learned lawyer for the State produces the case diary and opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Allegation of physical assault is not supported by the injury report. Stridhan articles have already been recovered.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.
5. Accordingly, we direct that in the event of arrest, the petitioner viz., Ashunath Bhattacharjee be released on bail upon furnishing a bond of Rs.10,000/-, 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. He shall appear before the court below and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)