

30.4.2024
SL No. 25
Ct No. 29
/SB

C.R.M. (A) 1524 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** P.S. Case No. 690 of 2023 dated 29.08.2024 under Sections 363/365/34 of the Indian Penal Code.

And

In the matter of: Bijoy Biswas @ Bijan Biswas.

....Petitioner

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the Petitioner

Mr. Partho Pratim Das
Mr. Raju Mondal

...for the State

1. Leave is granted to the learned Advocate-on-record for the petitioner to correct the cause title.
2. Affidavit of service is taken on record.
3. Despite service none appears for the victim.
4. Victim recorded a statement under Section 164 of Cr.P.C. where she states that she left the house voluntarily. She also states that she was tortured at her paternal home. She is specific in saying that she was not kidnapped by anyone. She says that she married the petitioner before us and that she wants to stay at her matrimonial home as she fears that she will be tortured at the paternal home.
5. Considering such materials in the case diary and involvement of the petitioner as transpiring therefrom we grant anticipatory bail to the petitioner.
6. Accordingly, we direct that in the event of arrest the petitioner shall 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall appear before the Investigating Officer once in a week till the conclusion of the investigation. 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.

7. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)