

Criminal Misc. Case No. 797 of 2022

Order No. 02

04.07.2022

This is an application under Section 438 of Cr.P.C, praying for anticipatory bail, filed on behalf of the accused/ petitioner namely; **Shaktipada Mahato s/o Sripati Mahato**, who apprehends arrest, in connection with Barabazar P.S Case No. 98 of 2022 dated 11.06.2022 under Sections 498A/323/506/34 of I.P.C & 3/4 D.P. Act, vide G.R. Case No. 1189 of 2022.

The prayer for anticipatory bail is moved by the Ld. Lawyer for the accused petitioner.

It is submitted by the Ld. Lawyer that the accused petitioner is the husband of the victim lady and he has appeared before the I.O on receipt of the notice u/s 41A of Cr.P.C and in this case CS has already been submitted. So, the prayer for bail may be allowed.

Ld. advocate for the accused submitted further that no bail application has been filed/pending before the Hon'ble High Court, Calcutta.

Ld. P.P. does not oppose the bail prayer.

Considered the submissions. Perused the L.C.R., F.I.R. including statements of the witnesses recorded u/s 161 of Cr.P.C. and other materials in C.D.

Having regard to the nature of the offence and the fact that accused has appeared before the I.O on receipt of the notice u/s 41A of Cr.P.C and in this case CS has already been submitted. So, considering the nature of the offence the custodial interrogation of the accused is not necessary, the prayer for bail is allowed.

In the event of arrest, the accused petitioner be released on furnishing bond of Rs. 2500/- with one surety of like amount, to the satisfaction of the arresting officer and on compliance with the conditions as envisaged u/s 438(2) of Cr. P.C.

The Criminal Misc. Case is, thus disposed of. Return the C.D.

Let a copy of this Order along with the L.C.R. be sent to the Learned C.J.M, Purulia, for information.

(Dictated & Corrected)

Sessions Judge, Purulia

Sessions Judge, Purulia.
(J. O. Code No. 479)