

C.R.M. 13 of 2019

Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 15.03.2019.

In re : Nitai Chandra Mondal & Ors.....petitioners

Mr. Debasish Mukhopadhyay
Mr. Anirban Banerjee.....for the petitioners

Mr. Saikat Chatterjee
Ms. Namrata Das.....for the State

The petitioners apprehend arrest in course of investigation of Banarhat Police Station F.I.R. No. 260 of 2018 dated 07.11.2018 under sections 341/326/307/379/506/34 of the Indian Penal Code. As such, they have presented this application for a direction that in the event of such arrest, they may be released on bail.

We have heard the learned advocates for the parties. Having regard to the fact that the prime assailant Kamal Mondal has been released on bail and also considering the statement of the victim himself available at page 52 of the case diary, we are of the considered view that custodial interrogation of the petitioners is not necessary for effective and meaningful progress of investigation of the said F.I.R. and it is a fit and proper case for making direction, as prayed for.

Accordingly, it is directed that in the event of arrest, the petitioners shall be released on bail upon furnishing bond of Rs.10,000/-(Rupees Ten Thousand) each, with two sureties of like amount each to the satisfaction of the arresting officer and also subject to the conditions laid down in sub-section (2) of Section

438 of the Code of Criminal Procedure, 1973.

C.R.M. 13 of 2019 is, thus, allowed.

(SHIVAKANT PRASAD, J.)

(DIPANKAR DATTA, J.)