

25.11.19

Sl. No.64

akd

[ALLOWED]

C. R. M. 10920 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 21.11.2019 in connection with Alipurduar Women Police Station Case No. 117 of 2019 dated 01.11.2019 under Sections 498A/306/506/34 of the Indian Penal Code. (G.R. Case No.2226 of 2019)

And

In Re: **Arindam Roy & Ors.**

... .. Petitioners

Mr. Arnab Saha .. Advocate

... .. for the petitioners

Mr. Tanmay Kumar Ghosh .. Advocate

Mrs. Sujata Das .. Advocate

... .. for the State

Heard the learned advocate appearing for both the parties.

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case.

Learned advocate appearing for the State produces the case diary and opposes the prayer for anticipatory bail.

We have considered the materials on record. It is a matter to be decided at the appropriate stage of the proceeding whether the conduct of the petitioners amounts to an offence under Section 306 of the Indian Penal Code. Keeping in mind the nature of allegations, we are of the opinion that custodial interrogation of the accused/petitioners may not be necessary in the facts of the present case and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely **(1) Arindam Roy, (2) Sikha Roy, (3) Mithu Mohanta & (4) Sombhu Mohanta,**

be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, 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 and on further condition that they shall appear before the court below and pray for regular bail within four weeks from date.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)