

47 Court 8
sg 16-09-2020

C.R.M. 6611 of 2020
IA No. CRAN 1 of 2020
(Via Video Conference)

Allowed

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Nischinda Police Station Case No. 29 of 2020 dated 13.02.2020 under sections 498A/302/304B/406/34 of the Indian Penal Code with Sec. 3 & 4 of D.P. Act.

Meghdut Sardar
Versus
State of West Bengal

Mr. Mrityunjoy Chatterjee, Adv.
Md. G.N. Imrohi, Adv.

...for the petitioner.

Mr. Madhusudan Sur, Adv.
Mr. Dipankar Paramanick, Adv.

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

Accordingly, CRAN 1 of 2020 is disposed of.

Learned Counsel appearing on behalf of the petitioner submits that the petitioner is the brother-in-law of the victim deceased. The main allegations are against the husband who is on bail. Charge sheet has been submitted under Section 304B of the Penal Code instead of under Section 302 of the Penal Code.

Learned Counsel appearing on behalf of the State opposes the prayer for bail and he submits that the petitioner along with others had demanded money from the victim deceased.

Considering the alleged role ascribed to the present petitioner and in view of the fact that charge-sheet has already been submitted, we do not think that custodial interrogation of the petitioner is required in this case.

Accordingly, in the event of arrest, the petitioner will be enlarged on

bail on furnishing security bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount to the satisfaction of the arresting officer subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and he shall regularly attend the court below.

In the event the petitioner fails to comply with the condition as enshrined hereinabove, the bail shall stand automatically cancelled.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Jay Sengupta, J.)

(Soumen Sen, J.)