

September 23, 2020.
rc
Item No.26/SL
Ct. No.08

C.R.M. No. 7024 of 2020
with

CRAN No. 1 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Farakka Police Station Case No. 75 of 2020 dated 08.03.2020 under Sections 498A of the Indian Penal Code.

And

In the matter of: Prabir Mandal @ Prabir Mandal & Anr.
...Petitioners.

Mr. Rudranil De
Mr. Ziaul Haque ...for the petitioners.

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta ...for the State.

The petitioner undertakes to affirm and stamp the petition 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, the application being CRAN No. 1 of 2020 stands disposed of.

On the prayer of the learned counsel appearing on behalf of the petitioners leave is granted to correct the cause title in the petition.

Learned counsel appearing on behalf of the petitioners are the in-laws of the deceased. He also submits that the husband of the deceased, Ratan Mondal was granted bail. The charge-sheet has already been filed. The charges have also been framed.

The prayer for anticipatory bail is opposed by the learned counsel appearing on behalf of the State.

Considering the materials on record and in view of the fact that the principal accused is on bail, we are of the opinion that the custodial interrogation of the petitioners is not necessary. Under such circumstances, prayer for anticipatory bail of the petitioners is allowed.

Accordingly, in the event of arrest, the petitioners will be enlarged on bail upon furnishing security of Rs.10,000/- each with two sureties each of like amount, one of whom must be local, to the satisfaction of the arresting officer of the concerned police station. Since the charge-sheet has already been submitted, the petitioners must attend the trial on every date fixed and any unexplained absence of the petitioners to attend the court will entitle the trial court to cancel the bail without reference to this Court.

The petitioners will also abide by the conditions laid down in Section 438(2) of the Code.

CRM No. 7024 of 2020 is allowed accordingly.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J)