

September 23, 2020.
rc
Item No.27/SL
Ct. No.08

C.R.M. No. 7026 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 Bhutni Police Station Case No. 80 of 2020 dated 29.05.2020 corresponding to G.R.Case No. 2192 of 2020 under Sections 498(a)/304(B)/34 of the Indian Penal Code read with Section 3/ 4 of the Dowry Prohibition Act.

And

In the matter of: Profulla Mandal @ Praphulla Mandal & Ors.
...Petitioners.

Mrs. Minoti Ghomes ...for the petitioners.

Mr. Imran Ali
Mrs. Manasi Roy ...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.

Learned counsel appearing on behalf of the petitioner submits that the petitioner nos. 1, 2 and 3 are the father-in-law, mother-in-law and brother-in-law respectively of the victim/defacto complainant. The marriage took place about six months ago. The petitioners have been falsely implicated in connection with this case.

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

Considering the materials on record and the allegations of the alleged role ascribed to the petitioners 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. 7026 of 2020 is allowed accordingly.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J)