

28.09.2020  
tkm  
sl no. 65

**C.R.M. 7141 of 2020**  
**CRAN 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 Krishanganj P.S case no. 131 of 2020 dated 24.6.2020 under section 498A/302/34 of the Indian Penal Code

**Allowed** And  
In Re : Biplab Mondal & Anr.

..... petitioners

Mr. P Majumder

..... for the petitioners

Mr. S Bapuli

Mr. Arani Bhattacharyya

..... for the State

Petitioners undertake to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Accordingly, the application being CRAN 1 of 2020 is disposed of.

It is submitted on behalf of the petitioners that they are the in-laws of the victim housewife. Incident occurred 13 years after marriage. Charge sheet has been filed, inter alia, under section 306 IPC.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Allegations against the petitioners i.e. in-laws of the victim housewife are general and omnibus in nature. Incident occurred 13 years after marriage and the statutory presumption under section 113A of the Evidence Act is not attracted in the facts of the case. Hence, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- 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.

The application being CRM 7141 of 2020 is disposed of.

**(Kausik Chanda, J.)**

**(Joymalya Bagchi, J.)**