

14.10.2020
Item No. 29
k.b./b.r.
A. allowed
Crt.12

C.R.M. 7676 of 2020 (via video conferencing)

In Re:- An application for Anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ratua P.S. Case No. 257 of 2020 dated 1.06.2020 under Sections 498A/304B/34 of the Indian Penal Code, 1860.

And

In Re : Suren Mandal @ Soren & Ors. petitioners

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
.....for the petitioners.

Mr. Madhusudan Sur
Mr. Manoranjan Mahata
....for the State

Petitioners undertake to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

The petitioners are the parents-in-law and the brother-in-law of the deceased. Deceased was the unfortunate wife of one Tapan Mandal. Within five years of marriage she met with unfortunate death receiving burn injury. The husband of the de facto complainant being the principal accused was arrested and granted bail. On careful perusal of the Case Diary it appears that the neighbour alleged that the present petitioners used to treat the deceased with cruelty. Except such omnibus allegation there is no other specific allegation against them.

Since the husband of the deceased being the principal accused is on bail, we are of the view that the present petitioners are also entitled to anticipatory bail. Therefore, prayer for anticipatory is granted.

In the event of arrest, the petitioners may be released on anticipatory bail upon furnishing a bond of Rs. 20,000/- (Rupees Twenty Thousand only) each with two sureties of like amount each, one of whom must be of local to the satisfaction of the arresting officer subject to compliance of the provision under Section 438(2) of the Code of Criminal Procedure with the further condition that if on bail the petitioner No. 1, Suren Mandal @ Soren and petitioner No.3, Kamal Mandal may meet the investigating officer once in a week until further order.

The application for anticipatory bail is, thus, allowed.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Bibek Chaudhuri, J.)

(Subrata Talukdar, J.)