

DI. November
45. 17, 2020

C.R.M. 8040 of 2020

(Via Video Conference)

In the matter of : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 380 of 2020 dated July 20, 2020 under Sections 498A/323/376/506/34 of the Indian Penal Code;

And

In the matter of : Sanaulla Mondal ...petitioner.

Versus

State of West Bengal ...opposite party.

Mr. Ali Ahsan Alamgir,
...for the petitioner.

Mr. Imran Ali,
Mr. M. F. A. Begg,
...for the State.

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

The petitioner claims that there was a misunderstanding with his wife but the principal charge is not directed against the petitioner.

According to the State, it is more than likely that it was the husband who ensured that the wife was present at the particular place for another man to take advantage and commit rape on her. The State says that the charge-sheet has been filed.

Since the investigation has already been completed, there may not be any need to take the petitioner into custody at this stage.

In the event of arrest, the petitioner will be enlarged on bail upon furnishing security of Rs. 10,000/-, with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer. The petitioner will abide by the conditions laid down in Section 438(2) of the Code.

CRM 8040 of 2020 is disposed of.

(Sanjib Banerjee, J.)

ar/dns

(Aniruddha Roy, J.)