

20/10/2020
Item No. 48 D/L
S. De (3)

Allowed

Through Video Conference

CRM 8073 of 2020

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Girish Park** P.S. Case No.113 of 2020 dated 13.06.2020 under Sections 498A/406/34 of the Indian Penal Code.

Ashok Kumar Jaiswal & Others
Vs
The State of West Bengal

Mr. Amitava Ghosh
Ms. Animita Bhattacharya
Sk. Sujauddin

...for the Petitioners.

Mr. Goutam Wilson ...for the State.

The petitioners undertake to affirm and stamp the petition/application 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.

The petitioner nos. 1 and 2 are the parents in law and the petitioner no.3 is the younger brother of the complainant.

It is submitted on behalf of the petitioners that the petitioners are on similar footing as Akash Jaiswal (CRM 7305 of 2020) for anticipatory bail by a co-ordinate bench on October 1, 2020.

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case.

Learned lawyer for the State submits that the victim was assaulted and stridhan articles have not been recovered.

We have considered the materials on record including the injury report. Keeping in mind the facts and circumstances of the case we are of the opinion that though custodial interrogation may not be necessary, petitioners are required to co-operate with investigation for recovery of stridhan articles.

Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the code of Criminal Procedure, 1973 and on further condition that the petitioner No. 1 & 3 shall meet the investigating officer once in a week until further orders.

Accordingly, the application for anticipatory bail of the petitioners is, thus, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Aniruddha Roy, J.)

(Soumen Sen, J.)