

20.10.2020

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**CRM 8221 of 2020
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta P.S. Case No.432 of 2020 dated 04.10.2020 under Sections 498A/323/307/354/34 of the Indian Penal Code.

And

In the matter of: **Avijit Mandal @ Abhijit Mandal and ors.**

....Petitioners.

Mr. Asraf Mandal

...for the Petitioners.

Mr. S.S. Imam

Mr. Subrato Roy

...for the State.

The petitioners undertake to 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 petitioners claim that the wife of the first petitioner has brought reckless allegations of dowry demand and torture without any shred of material in support.

The State says that the wife claimed that the first petitioner-husband had attempted to murder her. However, there does not appear to be any injury report.

Considering the material, the petitioners are entitled to anticipatory bail; but the first petitioner must make every attempt to settle the disputes with his wife. In the event any physical harm comes to the wife after this order is pronounced, an adverse inference will be drawn against the petitioners, particularly the first petitioner.

In the event of arrest, the petitioners will be enlarged on bail on furnishing security of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. In addition, the petitioners will abide by the conditions in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 8221 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)