

24.12.2020
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allowed

CRM 8392 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. 416 of 2020 dated 27.09.2020 under Sections 341/323/325/307/506/34 of the Indian Penal Code.

In Re : Kenai Mondal @ Kenaram Mondal & Ors.

.....Petitioners.

Mrs. Karabi Roy

...for the Petitioners.

Ms. Sukanya Bhattacharya
Md. Kutubuddin

...for the State.

It is submitted by the learned Counsel appearing for the petitioner no. 1 that his wife has filed earlier case alleging rape. In retaliation the instant case has been filed.

We have considered the materials on record. Possibility of false implication due to prior enmity cannot be ruled out. Injuries are not grievous.

Under such circumstances, we are inclined in granting anticipatory bail to the petitioners.

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) each, 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.

The application for anticipatory bail is, thus, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)