

05.11.2020

Item No. 32

k.b./b.r.

allowed

Crt.08

VB

C.R.M. 8787 of 2020
(via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ultadanga Women P.S. Case No. 5 of 2020 dated 21.03.2020 under Sections 498A/406/34 of the Indian Penal Code, 1860.

And

In Re : Mani Sharma @ Raju & Ors. petitioners.

Mr. Amitabha Ghosh
Mr. Soumen Pal

.....for the petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

....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 petitioner no.1 is the husband, the petitioner no.2 is the mother-in-law and the petitioner no.3 is the sister-in-law of the complainant of the victim.

Learned advocate for the petitioners submit that the case was initiated as a counterblast subsequent to the issuance of the notice.

Mr. Ganguly, learned advocate for the State is not in a position to contradict the aforesaid submission.

Having taken into account the materials available in the Case Diary, we are of the opinion that the custodial detention of the petitioners may not be warranted in the facts and circumstances of this case. Accordingly, the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail stands thus allowed.

The application CRM 8787 of 2020, stands disposed of.

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

(Tirthankar Ghosh, J.)

(Ashis Kumar Chakraborty, J.)