

05-11-2020
Subrata/Subha
Item no.3
Bail allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M 8813 of 2020
Nanibala Mondal @ Nani Mondal @ Nani & Anr.
-vs-
The State of West Bengal
(Via video-conference)

In Re: An application for bail under Section 439 CrPC in connection with Ashoknagar P.S. Case No.277 of 2020 dated April 23, 2020 under sections 498A/302/304B/34 IPC.

Mr. Sumanta Chakraborty ...for the petitioner

Mr. S.G. Mukherji, PP
Mr. Rana Mukherjee, APP
Ms. Sujata Das ... for the State

The advocate-on-record for the petitioners undertakes to affirm and properly 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.

Petitioner no.1, aged about 83 years, is the great grandmother-in-law of the deceased victim. Petitioner no.2 is the student pursuing graduation. From the records produced by the State before us, it appears that the main allegation with regard to the cause of death of the victim is aimed against the husband of the victim.

Although from the records we find some cryptic materials against the other accused persons, but the father-in-law and the mother-in-law of the deceased victim have already been granted anticipatory bail. The petitioners are in custody for about 120 days. They prima facie appear to be on the same footing with the mother-in-law and the father-in-law of the deceased.

Mr Mukherji, learned PP appearing for the State, did not point out any further requirement to detain the petitioners in custody for any further investigation.

Considering the above facts, we are satisfied that the petitioners

are entitled to be enlarged on bail.

Accordingly, the petitioners shall be released on bail upon furnishing a bond 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 learned Chief Judicial Magistrate, Barasat, subject to the condition that the petitioners shall not tamper with any evidence and/or intimidate the witnesses in any manner whatsoever and that the petitioners shall not leave the jurisdiction of the Ashoknagar police station without prior permission of the trial court.

In the event the petitioners fails to comply with the conditions stated above, the trial court shall be at liberty to cancel their bail in accordance with law without further reference to this court.

With the aforesaid observations, the application for bail, being CRM No. 8813 of 2020, is 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]

