

12.11.2020

Sl. No.63

Ct. no.8

PP/BM

CRM 9024 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Bantra Police Station case No.182 of 2020 dated 12.10.2020 (GR Case No. 4490 of 2020) under Sections 498A/406/323/325 of the Indian Penal Code.

And

In the matter of : Nilanka Kundu

... Petitioner

Mr. Ajit Kumar Mishra

Mr. Saikat Basu

... for the petitioner

Mr. S. S. Imam

Mr. Subrato Roy

... for the State

The learned advocate for the petitioner submits that the petitioner is the husband of the complainant and the allegations made out are palpably false. He further submits that the present case has been made out for incompatible and on vague allegations which are not based on real fact.

Learned advocate for the State produces the case diary.

We have perused the materials on record including the case diary and on enquiry learned advocate for the State conceded that there are no injury report available in the case diary. On assessing totality of the circumstances, we are of the opinion that the petitioner has been able to make a case for being admitted in anticipatory bail.

Accordingly, prayer for anticipatory bail is allowed.

In the event of arrest, the petitioner 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 arresting officer of the case, subject to the condition not to intimidate the witnesses.

The petitioner shall meet with the investigation officer of the case once in a week for a period of one month and such attendance will start on and from 20th November, 2020.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being CRM 9024 of 2020 is disposed of.

(Tirthankar Ghosh, J)

(Shivakant Prasad, J.)