

22.12.2020
Court No.28
Sl No.87
AP

CRM 9945 of 2020
(Through Video Conference)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Goghat** P.S. Case No.**353 of 2019** dated **02.12.2019** under Sections **448/325/307/379/506/34** of the Indian Penal Code.

And

In Re: **Aswini Mondal**

... .. Petitioner.

Mr. Tanmay Chowdhury

... for the Petitioner.

Mr. Goutam Wilson

... .. for the State.

It is submitted on behalf of the petitioner that there was a free fight over a matrimonial dispute and the petitioner's brother suffered severely injured.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the victim i.e. father-in-law of the petitioner was grievously injured and hospitalized.

Statements of witnesses show active role of the petitioner in assaulting the victim who suffered grievous injury and was hospitalized. No doubt, brother of the petitioner appears to have suffered serious injury and a counter case has been registered. However, in view of the primary role of the petitioner in the assault of his father-in-law resulting in hospitalization, we are not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail is, thus, rejected.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)