

09.12.2020.

75.

as

(Allowed).

C.R.M. 10017 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Uttarpara P. S. Case No.400 of 2020 dated 11.11.2020 under Sections 323/379/307/354/406/34 of the Indian Penal Code.

In the matter of : Gopal Banerjee & Ors.

... Petitioners.

Mr. Dhananjay Banerjee.

...for the Petitioners.

Mr. Narayan Prasad Agarwala,
Ms. Subhasree Patel.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that there is a family dispute and the petitioners have been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioners tried to dispossess the widow from the matrimonial household.

We have considered the materials on record including the statements of witnesses. Allegation of assault and attempt to murder the housewife is not supported by medical papers.

In view of the aforesaid facts, we are inclined in granting anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners, viz., Gopal Banerjee, Anjan Banerjee, Shibani

Banerjee, Subhas Chakraborty and Pampa Chakraborty shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

This application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)