

11.12.2020
Sl. No. 72
akb
[ALLOWED]

C. R. M. 10220 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 03.12.2020 in connection with Harishchandrapur Police Station Case No. 791 of 2020 dated 13.11.2020 under Sections 448/376/323/506/34 of the Indian Penal Code, 1960.

And

In Re: ***Basant Mondal @ Basanta Mandal & Ors.***

... .. Petitioners

Mr. Kaustav Bagchi

Mr. Arup Sarkar.. Advocate

... .. for the petitioners

Mr. N.P. Agarwal.. Advocate

Mr. Ashok Das .. Advocate

... .. for the State

It is contended 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 father-in-law had ravished the victim housewife.

There is no date or time specified in the statement of the victim housewife with regard to the alleged rape. The nature of allegations are to be assessed in the light of the aforesaid submission relating to pending family dispute. Possibility of false implication on such score cannot be wholly ruled out.

Accordingly, we are inclined in granting anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely (1) ***Basant Mondal @ Basanta Mandal*** (2) ***Bipul Mondal @ Bipul Mandal*** and (3) ***Mithun Mandal @ Mithun Mondal***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, 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 is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)