

14.12.2020
tkm/ct 28
sl no. 131

**C.R.M. 10278 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Hanskhali P.S case 315 of 2020 dated 16.7.2020 under sections 448/354B/323/326/506/379/34 of the IPC

Allowed

and
In Re : Monimala Baidya & Ors. petitioners

Mr. P Majumder
..... for the petitioner
Ms. Z N Khan
Mr. MFA Begg
..... for the State

It is submitted on behalf of the petitioners that there was a dispute between the families over use of a pathway.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Allegation of outraging modesty may be assessed in the light of the submission that there was pre-existing enmity between the parties and as injuries are simple, we are of the opinion custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners 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 also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

The application being CRM 10278 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)