

20.01.2021
Item no.220
Court No.28
Avijit Mitra

C.R.M.251 of 2021 (via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Goghat Police Station Case No.246 of 2020 dated 25.12.2020 under Sections 498A/406/323/325/354/34 of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act;
And

In Re : Balaram Mondal & anr.

.... petitioners

Mr. Suman Chakraborty

....for the petitioners

Mr. N.P. Agarwala,

Mr. Ashok Das

..... for the State

The petitioners before this Court are the father-in-law and mother-in-law of the victim.

The learned advocate appearing for the petitioners submits that the instant case was initiated as a counter-blast to a case at the instance of the petitioner no.2. The nature of the case, according to the learned advocate, is peculiar wherein the husband is left out and the allegations are directed only against the father-in-law and mother-in-law of the complainant.

Mr. Agarwala, learned advocate appearing for the State opposes the petitioner's prayer and draws the attention of this Court to the statement of the witness, more particularly the manner in which the victim had been insulted.

Having perused the injury report as well as the materials on record, we are of the opinion that custodial detention of the petitioners is not necessary.

Accordingly, we direct that in the event of arrest, the petitioners namely 1) Balaram Mondal and 2) Sandhya 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, one of whom must be local, 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.

The application for anticipatory bail being C.R.M. 251 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)