

21.01.21
S.R.
Sl.161
Ct.28

CRM No.282 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Chakdah Police Station Case No.304 of 2020 dated 26.10.2020 under Sections 498A/304B/34 of the Indian Penal Code;

And

In re: Ashoke Mondal

Ms. Sunanda Bhattacharyya ... for the petitioner.

Mr. Saswata Gopal Mukherji, Ld.P.P.

Miss. Sayani Santra ...for the State.

Apprehending arrest in connection with Chakdah Police Station Case No.304 of 2020 under Sections 498A/304B/34 of the Indian Penal Code the present application has been preferred.

The learned advocate appearing for the petitioner submits that the petitioner is the brother-in-law of the deceased and he has been falsely implicated in the present proceeding. The mother-in-law of the deceased has already been granted anticipatory bail and the husband is in custody. There is no specific allegations against the petitioner and as such his custodial detention is not necessary.

The learned advocate appearing for the State denies and disputes the contention of the petitioner.

Upon considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial detention of the petitioner is not warranted.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Ashoke Mondal**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, 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 for anticipatory bail being CRM No.282 of 2021 is, thus, allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

