

27.01.2021
Item no.208
Court No.28
Avijit Mitra

C.R.M. 337 of 2021 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Katwa Police Station Case No.378 dated 21.12.2020 under Sections 498A/406/323/34 of the Indian Penal Code;

And

In Re : Mongal Haldar @ Mangal Halder & Ors.

.... petitioners

Mr. Ayan Basu,
Mr. Prabir Kumar Das,
Mr. Sourav Bera,
Mr. Sumit Routh

....for the petitioners

Ms. Kumkum Mitra

..... for the State

Mr. Basu, learned advocate appearing for the petitioners submits that the petitioner no.1 is the husband, petitioner no.2 is the mother-in-law, petitioner no.3 is the father-in-law and the petitioner no.4 is the brother-in-law of the *de facto complainant*. There are no incriminating materials against the petitioners on record and they have been falsely implicated. The petitioners have already complied with the notice under Section 41A and in view thereof, custodial detention of the petitioners is not necessary.

Learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the

extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial detention of the petitioners is not warranted.

Accordingly, we direct that in the event of arrest, the petitioners namely Mongal Haldar @ Mangal Halder, Jyostna Haldar @ Joystna Halder, Shyamal Haldar @ Shyamal Halder and Pritam Haldar @ Pritam Halder 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 and on further condition that the petitioner nos.1, 3 and 4 shall meet with the investigating officer once a week on and from 1st February, 2021 until further orders.

The application being C.R.M. 337 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)