

15.02.2021
Item No.233
Ct.No.28
Subha
Allowed

C.R.M. 438 of 2021
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438
of the Code of Criminal Procedure.

And

In the matter of : **Amit Kumar Mondal.**

.....petitioner.

Mr. Abdul Rakib

... For the petitioners.

Mr. Tanmoy Kumar Ghosh
Ms. Seema Biswas

... For the State.

Apprehending arrest in connection with
Berhampore Police Station Case No. 1262 of 2020 dated
07.12.2020 under Sections 498A/325/307/427/506/34 of
the Indian Penal Code, 1860, the present application has
been preferred.

Mr. Rakib, learned advocate appearing for the
petitioner submits that the petitioner is the brother-in-law of
the complainant and has been falsely implicated in the
instant case. Additionally, learned advocate for the

petitioner submits that the father-in-law and mother-in-law and the wife of the present petitioner have been enlarged on anticipatory bail by the learned Sessions Judge.

Mr. Ghosh, learned advocate appearing for the State opposes the prayer for anticipatory bail of the petitioner and draws the attention of this court to the fact that the petitioner along with others had physically and mentally tortured, although there are no medical documents available in the case diary.

We have perused the case diary along with other materials on record.

Having regard to the fact that the marriage was solemnized five years prior to the date of the alleged incident and there are no medical documents available in the case diary, we are of the opinion that the petitioner is entitled to benefit of anticipatory bail and as such, the prayer for anticipatory bail is allowed.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Amit Kumar Mandal** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 petitioner shall meet with the Investigating Officer of Berhampore Police Station case No. 1262 of 2020 on and from 22nd February, 2021 until further orders.

The application for anticipatory bail, being CRM 438 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)