

12.03.2021
Court No.28
Item No. 15
Krishnendu
Allowed

CRM 442 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : **Gouranga Mandal**

Petitioner

Mr. Sudipto Moitra
Mr. Samiran Mandal
Mr. Abhinaba Dan

For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. P.P.
Mrs. Sayanti Santra

For the State

Apprehending arrest in connection with Gangajalghati P.S. Case No. 63 of 2020 dated 19.05.2020 under sections 498A/302/304B/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act, the petitioner has filed the present application.

Mr. Moitra, learned senior advocate appearing for the petitioner submits that the petitioner is the father-in-law of the victim lady and he has been falsely implicated. The husband and the mother-in-law of the victim lady have already been enlarged on bail. Upon completion of investigation, charge sheet has also been submitted and as such custodial interrogation of the petitioner is not necessary.

Mr. Mukherjee, learned Public Prosecutor appearing for the State opposes the petitioner's prayer for anticipatory bail and draws our attention to several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and 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 interrogation of the petitioner is not warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Gouranga Mandal**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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 CRM No. 442 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.)