

15.02.2021

Item No.241

Ct.No.28

dc.

Allowed

C.R.M. 453 of 2021

(Via Video Conference)

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

And

In Re : **Jayanti Bala & Anr.**

... Petitioners.

Mr. Sumanta Chakraborty

... For the Petitioners.

Mr. Bidyut Kumar Roy,

Ms. Rita Datta

... For the State.

Apprehending arrest in connection with Balagarh P.S. Case No. 171 of 2020 dated 01.11.2020 (G.R. Case No. 1658 of 2020) under Sections 323/325/326/506/34 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioners submits that the petitioner no.1 is the mother-in-law and the petitioner no.2 is the wife of the *de facto* complainant, namely, Pabitra Biswas. The petitioners have been falsely implicated. No overt act has been attributed to the said petitioners and as such, custodial detention of the petitioners is not necessary.

The 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 injury report, we are of the opinion that custodial detention of the petitioners is not warranted.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioners, namely, 1. **Jayanti Bala** and 2. **Rita Biswas** shall 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 CRM 453 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.)