

12.03.2021

Court No.28

rpan / 30

CRM 616 of 2021
(Via video Conference)

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

And

In Re : **Parvin Mosarrat Karim @ Payel**
- Petitioner

Mr. S. Chatterjee,

Mr. A. Patra

... For the Petitioner.

Mr. Prasun Kumar Dutta,

Mr. S. Deb Roy

... For the State

Apprehending arrest in connection with Mothabari P .S. Case No. 103 of 2020 dated 29.02.2020 under Sections 195(A)/506/34 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate for the petitioner submits that the present petitioner is a lady, who has been implicated in the instant case out of grudge by the complainant of Mothabari Police Station case no.397 of 2019 wherein investigation has already been concluded. Additionally, the learned advocate submits that the petitioner is not even a witness or an accused in the said case and has been unnecessarily dragged in the case.

Mr. Dutta, learned advocate appearing for the State submits that there are materials appearing in the case diary.

We have considered the materials on record including the statements of the witnesses appearing in the case diary. Having regard to the nature of allegations, which are mainly against the husband of the complainant of Mothabari P. S. Case no.397 of

2019, we are of the opinion that for the purpose of the case, custodial detention of the petitioner may not be warranted. As such, the prayer for anticipatory bail of the petitioner is **allowed**.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Parvin Mosarrat Karim @ Payel**, shall be released on bail upon furnishing a bond of ₹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. 616 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.)