

16.04.2021
Court No.28
Item No. 264
Avijit Mitra

C.R.M. 909 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Lake Town Police Station Case No.10 of 2021 dated 10th January, 2021 under Sections 420/406/506/120B of the Indian Penal Code;
And

In re: **Subhodeep Mandal & anr.**

Petitioners

Mr. Antarikhya Basu,
Mr. Sayan Mukherjee

For the Petitioners

Mr. Arijit Ganguly,
Ms. Purnima Ghosh

For the State

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated on the basis of ignorant notion of the complainant and as such criminal case has been registered. Learned advocate further submits that they have complied with the notices under Section 41A of the Code of Criminal Procedure and there are no adverse reports against them.

Mr. Ganguly, learned advocate appearing for the State produces the case diary and opposes the prayer drawing attention of this Court to the statement of the victim as also other witnesses.

We have perused the materials available in the case diary and having regard to the nature of allegations, we are of

the opinion that as the petitioners have complied with the provisions of Section 41A of the Code of Criminal Procedure their custodial interrogation is not warranted and as such the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Subhodeep Mandal and Mamata Mandal** shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- 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.

This order of anticipatory bail will remain in force for a period of four weeks within which the petitioners shall appear before the jurisdictional Court and pray for regular bail.

The petitioner shall make themselves available before the investigating officer as and when called for.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 909 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.)

(Soumen Sen, J.)

