

27.04.2021

Item No.282

Ct.No.28

dc.

Allowed

C.R.M. 996 of 2021

(Via Video Conference)

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

And

In Re : **Budho Mondal @ Budh Mandal @ Mondal Budh**

... Petitioner.

Md. Sarwar Jahan,
Mr. Anisur Rahman

... For the Petitioner.

Mr. Saibal Bapuli,
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

... For the State.

Apprehending arrest in connection with Suti P.S. Case No. 405 of 2020 dated 27.08.2020 under Sections 325/307/34 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations levelled against her are unfounded and as such, custodial interrogation/detention of the petitioner is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the medical certificate and other documents in the case diary.

We have heard the learned advocates and considered the materials in the case diary. *Prima facie* it appears that no overt act has been attributed to the petitioner. In view thereof, we are of the opinion that custodial interrogation/detention of the petitioner is not warranted in the facts and circumstances of the case.

Accordingly, we **allow** the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Budho Mondal @ Budh Mandal @ Mondal Budh** 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 application for anticipatory bail, being CRM 996 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.)