

20.05.2021
SL No.14
Court No.28
(gc)

CRM 1141 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 Nakashipara Police Station Case No.637/2020 dated 10.12.2020 under Sections 341/325/326 & 34 of the Indian Penal Code.

And

In the matter of : **Bablu Mondal @ Mandal & Ors.**

- Petitioners

Mr. Sumanta Das,
... For the Petitioners.

Mr. Rana Mukherjee,
Mr. Pratick Bose,
... For the State.

It is submitted on behalf of the petitioners that case and counter-case are pending between the parties. There was a free fight between the parties which led the petitioner to lodge a complaint against the de facto complainant and others. In retaliation the present complaint has been lodged.

The State opposes the prayer for anticipatory bail.

Having considered the materials produced before us and the fact that injuries sustained by the victim are not life-threatening and also as case and counter-case are pending between the parties, we are inclined to hold that custodial interrogation of the petitioners may not be required and the petitioners may be granted anticipatory bail. Accordingly, the application for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioners shall be released on 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.

It is also directed that the petitioners shall meet the Investigating Officer of the case once in a week until further orders and shall cooperate with the investigation.

The application for anticipatory bail, being CRM No.1141 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.

(Suvra Ghosh, J.)

(Soumen Sen, J.)