

18.08.2021
Item no.10.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1144 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 28.01.2021 in connection with Pandua Police Station Case No.356 of 2020 Dated 07.11.2020 under Sections 384/447/323/506/34 of the Indian Penal Code

And

**In the matter of : Sk. Ataur Rahaman Mondal
@ Tanisha Mondal & Others**

.....Petitioners.

Mr. Anshuman Berafor the Petitioners.

Mr. S. S. Imam,
Ms. Sonali Bharfor the State.

The allegations against the petitioners are that they extorted money from the complainant and assaulted the complainant.

The petitioners say that initially, a complaint was lodged by them against the complainant. As a counter-blast, on the same day, a complaint was lodged by the complainant against the petitioners. The petitioners obtained pre-arrest bail in connection with such first information report. Subsequently, the present false complaint has again been lodged.

We have seen the material in the case diary. There is no significant injury suffered by anybody concerned. Notices

under Section 41A of the Code of Criminal Procedure sent to the petitioners have been complied with.

On an overall assessment of the facts and circumstances of the case and in view of the fact that the petitioners are cooperating with the investigation, although charge sheet has not been filed as yet, we are of the view that immediate custodial interrogation of the petitioners may not be necessary so long as they cooperate with the investigation.

Accordingly, 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.1144 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)

