

18.08.2021
Item no.17.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 1371 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 3.2.2021 in connection with Habibpur Police Station Case No.317 of 2020 Dated 15.09.2020 under Sections 341/323/308/506/509/34 of the Indian Penal Code

And

In the matter of : Debraj Mandal @ Biswajit Mandal

.....Petitioner.

Mr. M. H. Chowdhuryfor the Petitioner.

Mr. S. S. Imam,
Mr. Arabinda Mannafor the State.

The petitioner says that there is a longstanding dispute between the petitioner's family and the complainant's family.

The allegation is that when the complainant's son was bathing in a pond, the petitioner tried to "dip him in the pond".

We have considered the material in the case diary. Charge sheet has been filed.

On an overall assessment of the material on record and the nature and gravity of the alleged offence, we are of the view that immediate custodial interrogation of the petitioner may not be necessary and he may be granted anticipatory bail.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 petitioner fails 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.1371 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.)