

05.08.2021.
317.
Akd/As
(Partly
Allowed)

**C.R.M. 1690 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chanchal P.S. Case No.505 of 2020 dated 21.06.2020 under Sections 342/323/325/307/34 of the Indian Penal Code.

In the matter of : Muktara Bibi & Anr.

... Petitioners.

Ms. Sujata Das.

.....for the Petitioners.

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Dan.

.....for the State.

Apprehending arrest in connection with Chanchal P.S. Case No.505 of 2020 dated 21.06.2020 under Sections 342/323/325/307/34 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail.

The learned Advocate appearing for the petitioners submits that the instant application for anticipatory bail has become infructuous so far as it relates to petitioner No.2 is concerned as he has been arrested in the midst of the pendency of the case.

Accordingly, the prayer for anticipatory bail of the petitioner no.2 is dismissed as infructuous.

She presses the application for anticipatory bail for the petitioner no.1 who happened to be a lady. The allegation made in this case relates to the dragging the son of the complainant forcibly and beating him severely after confining him in a room.

After considering the injury report, we do not find any grievous injury having caused to the son of the complainant. Therefore, custodial interrogation of the petitioner no.1 is not necessary.

Accordingly, we direct that in the event of arrest the petitioner No.1 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, subject to the satisfaction of the arresting officer and on conditions as enshrined under Section 438(2) of the Code of Criminal Procedure, 1973.

This application for anticipatory bail is, thus, allowed.

The application for anticipatory bail, being CRM 1690 of 2021, is thus disposed of.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)