

CRM 1910 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Nabadwip Police Station Case No.487 of 2020 dated 13-12-2020 under Sections 323/307/504/506/34 of the Indian Penal Code.

- A n d -

In the matter of : Litan Debnath & Anr.

.... Petitioners.

Mr. Biswajit Hazra,
Mr. Arif Mahammad Khan,
Mr. Archisman Sain

... For the Petitioners.

Mr. Bidyut Kumar Roy,
Mr. Md. F. A. Begg,
Ms. Monisha Sharma

... For the State.

The petitioners are the son and daughter-in-law of the defacto complainant. The petitioners say that the complaint has been prompted by a civil dispute regarding property pending between the parties. A civil suit is pending. The petitioner no.2 filed a criminal complaint against another son of the defacto complainant. As a counter-blast, the present complaint has been filed. This complaint is completely false.

We have seen the material in the Case Diary including the injury report. The injury is simple in nature and nothing significant.

On an overall assessment of the facts and circumstances of the case and the possible extent of complicity of the petitioners in the alleged offence, although charge sheet is yet to be submitted, we are of the view that immediate custodial interrogation of the petitioners may not

be necessary so long as the petitioners cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely, **Litan Debnath** and **Pratima Debnath**, shall be released on bail upon furnishing bonds of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. The petitioners shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure. The petitioner no.1 shall meet the Investigating Officer once every fortnight until further orders.

In the event the petitioners fail to adhere to any of the conditions stipulated in Section 438(2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 1910 of 2021 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**