

10.06.2021
Court No.28
SL No.26
PJ/KC

CRM 2133 of 2021
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tarakeswar** P.S. Case No. **03/2021** dated **2.1.2021** under Sections **498A/323/307/406/506/34 of the Indian Penal Code;**

And

In the matter of: **Smt. Mina Ghosh & anr.**

....Petitioners.

Mr. Tapas Kumar Ghosh,
Mr. Tanmoy Chowdhury,

...for the Petitioners.

Mr. Bidyut Kr. Roy,
Ms. Rita Dutta,

...for the State.

This application for anticipatory bail has been filed apprehending arrest in connection with Tarakeswar P.S. Case No. 03/2021 dated 2.1.2021 under Sections 498A/323/307/406/506/34 of the Indian Penal Code.

This anticipatory bail is sought for principally on the ground that there is no injury report. It is further submitted by the learned counsel for the petitioners that charge under Section 307 has been maliciously added since after realization of the fact that there is no serious injury report.

In view of the above and the nature of allegations, particularly against the mother-in-law and the petitioners, this Court is inclined to grant relief to the petitioners under Sections 438 Cr.P.C.

Accordingly, in the event of arrest the petitioners shall be released on bail subject to satisfaction of conditions under Section 438(2) of Cr.P.C., 1973 and upon furnishing a bond of Rs.10,000/- each (Rupees

Ten Thousand Only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the IO, subject to condition that the petitioners shall appear before the trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioners shall not enter the jurisdiction of the PS except for the purposes of investigation and attending Court proceedings and shall provide the addresses where they will reside while on bail to the Investigating Officer as well as the Court below and shall report to the Officer-in-Charge of the concerned Police Station within whose jurisdiction they will reside once in a week until further orders. The petitioners shall surrender their passports to the IO and if they do not possess passports shall submit affidavits to that effect before the IO.

In the event the petitioners fail to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

The application for anticipatory bail is, thus, disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)