

CRM 2427 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Santipur Police Station Case No.531 of 2020 dated 28-09-2020 under Sections 448/307/326/379/427/506/34 of the Indian Penal Code.

- A n d -

In the matter of : Dilip Pal & Ors.

.... Petitioners.

Mr. Md. Bani Israil,
Mr. Biswajit Sarkar

... For the Petitioners.

Mr. Rana Mukherjee,
Mr. Suman Saha

... For the State.

The petitioners say that the present complaint is a counter-blast. The daughter of the petitioner nos.1 and 2 lodged a complaint against the present complainant being her mother-in-law and other in-laws. Hence, this false counter-case.

We have seen the material in the Case Diary including the injury report. Although the charge is of attempted murder and causing grievous bodily harm, no external injury was recorded in the injury report. We have also considered the statements of witnesses contained in the Case Diary.

On an overall assessment of the facts and circumstances of the case and the material on record 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 they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely, **Dilip Pal**, **Bithika Pal** and **Ujjal Pal**, 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.

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 2427 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.)**