

16.09.2021

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 2636 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **609** of **2020** dated **10.12.2020** under Sections 448/376/511 of the Indian Penal Code, 1860.

And

In Re : Nagen Mandal. petitioner

Mr. Kallol Mondal

.....for the petitioner

Ms. Sreeparna Das

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the present application is a counter-blast to the longstanding dispute between the family of the de-facto complainant and the family of the petitioner.

Learned advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure. He submits that, the de-facto complainant refused medical test.

Considering the facts and circumstances of the case and considering the statement recorded under Section 164 of the Code of Criminal Procedure and the fact that there is a history

of disputes between the two families, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that 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, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioner shall meet the investigating officer once in a week until further orders and shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)