

15.09.2021
Item no.66.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 2667 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 12.03.2021 in connection with Raniganj Police Station Case No.49 of 2021 Dated 01.02.2021 under Sections 498A/323/406/506/34 of the Indian Penal Code

And

In the matter of : Monojit Chakraborty & Others

.....Petitioners.

Mr. Navanil Defor the Petitioners.

Md. Anowar Hossain,
Ms. Ratna Ghoshfor the State.

The petitioner no.1 is the husband, the petitioner nos.2 and 3 are the parents-in-law and the petitioner no.4 is the brother-in-law of the victim lady. The allegation is that the victim used to work in a hospital away from the matrimonial home. The husband and the in-laws demanded that she should resign from service and stay at home. This led to a dispute between the victim and the husband and the in-laws. The victim was tortured. Ultimately, the victim was compelled to leave for her parental house.

The petitioners say that the allegations are false. The victim was career minded and never wanted to leave her job.

However, the petitioners never tortured her. The victim left the matrimonial home on her own accord.

We have seen the statements of witnesses recorded under Section 161 of the Code of Criminal Procedure. On an overall assessment of the material on record and the facts and circumstances of the case as well as the extent of possible complicity of the petitioners in the alleged offence, we are of the view that although charge sheet has not yet been submitted, 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 Monojit Chakraborty, Mukul Chakraborty, Mithu Chakraborty and Ranabir Chakraborty shall be released on bail upon furnishing a bond of Rs.10,000/-each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. No.2667 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)