

24.11.2021
Item no.179
Court No.32
Avijit Mitra

C.R.M. 2718 of 2021 (via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Prasun Adhikary & anr.

.... petitioners

Mr. Chittaranjan Ray

....for the petitioners

Mr. Arijit Ganguly,

Mr. Sanjib Kumar Dan

..... for the State

Apprehending arrest in connection with F.I.R. dated 07.03.2021 lodged in Chakdah Police Station under Sections 498A/406 and 34 of the Indian Penal Code, the present application has been preferred.

Mr. Ray, learned advocate appearing for the petitioners submits that the petitioner no.1 is the husband and the petitioner no.2 is the father-in-law of the *de facto* complainant. They have been falsely implicated. The allegations levelled against them are unfounded. In the said conspectus custodial interrogation of the petitioners is not warranted.

Mr. Dan, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case

diary, the nature of allegations and the complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances of the present case.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Prasun Adhikary and Pramatha Nath Adhikary** shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten thousand only) each with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail being C.R.M. 2718 of 2021 is disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)