

16.04.2021
Court No.28
Item No. 13
Krishnendu
ALLOWED

C.R.M. 3830 of 2020
With
C.R.A.N. 2 of 2020
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Basirhat Police Station Case No. 534 of 2020 dated 05.05.2020 under sections 341/325/307/313/354/506/326/376/511/34 of the Indian Penal Code ;

And

In re: **Abdul Alim Mondal & Ors.**

.....Petitioners

Mr. Satadru Lahiri

.....For the Petitioners

Mr. S.G. Mukherjee, Id. P.P.

Mr. Bidyut Kumar Roy

Ms. Rita Dutta

.....For the State

We find from the records of the case that on 9th June, 2020, a co-ordinate Bench of this Court was pleased to grant an interim order of '*not to arrest the petitioners*' in connection with this case for a period of three months or until further orders, whichever is earlier and with a further direction for co-operating with the investigation, in accordance with law. The said interim order was extended from time to time.

Today when the matter has been called, the learned advocate appearing for the State produces the case diary, which contains the statement of the victim under section 164 of the Code of Criminal Procedure as well as the injury report.

We have perused the medical report and we have assessed the facts of the case, which cropped up due to family dispute. On a query from this Court, we have not been satisfied whether the petitioners have misused the liberty granted by this Court. In view of the aforesaid,

we are of the opinion that the petitioners should be extended the benefit of anticipatory bail.

Accordingly, we allow this application and direct that in the event of arrest the petitioners, namely, **Abdul Alim Mondal, Tabasum Bibi and Tafari Khatun**, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and with a further condition that the petitioner no.1, Abdul Alim Mondal, shall meet with the Officer-in-Charge of the concerned Police Station once a week until further orders.

This order of anticipatory bail will remain in force for a period of four weeks from date, within which the petitioners shall surrender before the jurisdictional Court and pray for regular bail.

The application for anticipatory bail, being CRM No. 3830 of 2020, and the connected application, being CRAN 2 of 2020, are, thus, disposed of.

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

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)

