

24.09.2021
Item no.45
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 3045 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 26.03.2021 in connection with Manikchak Police Station Case No. 283 of 2017 dated 18.07.2017 under Sections 341/323/324/326/307/34 of the Indian Penal Code.

And

**In the matter of : Janati Mondal @ Janaki Mandal @
Janti Mandal.**

.....Petitioner.

Mr. Kalidas Saha, Advocate,
.....for the Petitioner.

Mr. Bidyut Kr. Ray, Advocate,
Ms. Rita Dutta, Advocate,
.....for the State.

The petitioner says that she has absolutely no role to play in the alleged incident. The de facto complainant is the owner of a boat. Some of the passengers assaulted him and injured him. The petitioner is innocent.

We have seen the material in the case diary including the statement of the victim. The petitioner's name does not transpire therein.

We are told that the principal accused, namely one Chhotu, is in custody. Charge-sheet has been submitted.

On an overall consideration of the material on record and the extent of complicity of the petitioner in the alleged offence, we are of the view that immediate custodial interrogation of the petitioner is not necessary.

Accordingly, in the event of arrest, the petitioner namely **Janati Mondal @ Janaki Mandal @ Janti Mandal** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 petitioner fails 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 CRM 3045 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.)