

14. 22.09.2021

Ct.32

Tanmoy

Allowed

C.R.M. 3110 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **06/04/2021** in connection with **Manikchak Police Station Case No. 49/2021** dated **08/02/2021** under Sections **341/326/307/506/34** of the Indian Penal Code.

And

In the matter of: - **Shila Mandal @ Shila Karmakar**

...petitioner.

Mr. Arup Kumar Bhowmick

...for the petitioner.

Mr. S.G. Mukherjee, Ld. P.P.,
Ms. Faria Hossain,
Ms. Baisali Basu

...for the State.

The petitioner says that the incident was a fallout of a family dispute. The petitioner is the wife of one of the two brothers. The allegation is that the petitioner and her husband caused grievous bodily harm to the wife of the other brother who is the victim/complainant.

We have seen the material in the Case Diary including the written complaint where the victim names the husband of the petitioner as being the principal assailant. The principal assailant was arrested and granted bail by the learned trial Court.

On an overall assessment of the facts and circumstances of the case and the statements of witnesses in the Case Diary and considering the possible extent of complicity of the petitioner in the alleged offence, we are of the opinion that

immediate custodial interrogation of the petitioner is not necessary as charge-sheet has also been submitted.

Accordingly, in the event of arrest, the petitioner, *viz.*, **Shila Mandal @ Shila Karmakar** 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.

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 being C.R.M. 3110 of 2021 is, accordingly, disposed of.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)