

CRM 3511 of 2021

11.06.2021

(Sl. No. 63)

(through Video Conference)

Ct. No. 28

(S. Banerjee/TB)

In re: An application for bail under Section 438 of the Code of Criminal Procedure filed on 21.04.2021 in connection with Manikchak Police Station Case No. 172 of 2020 dated 03.06.2020 under Section 498A, 304B, 302 and 34 of the Indian Penal Code read with Section 4 of D.P. Act.

And

In the matter of: Bholu Mandal & Anr.

...petitioners

Mr. Kaji Mokhlasur Rahman

... for the petitioners

Mr. Saswata Gopal Mukherjee, Id. PP
Ms. Faria Hossain
Mr. Aniket Mitra

... for the State

Counsel for the petitioners submits that the mother-in-law and father-in-law of the victim have been arrayed in a proceeding under Section 498A, 304B, 302 and 34 of the Indian Penal Code read with Section 4 of D.P. Act. The principal accused is the husband of the victim and son of the petitioner who was taken into custody and was enlarged on bail.

Counsel for the State submits that the petitioners are cooperating in the investigation.

In that view of the matter the petitioners are entitled to get relief under Section 438 of the Code of Criminal Procedure.

Accordingly, in the event of arrest the petitioners shall be released on bail subject to satisfaction of conditions under Section 438(2) of the Code of Criminal Procedure and upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of like

amount each, one of whom must be local, to the satisfaction of the investigating officer, subject to condition that the petitioners shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall not enter the jurisdiction of the police station except for the purpose of the investigation and attending court proceedings and shall provide the address where they shall reside while on bail to the investigating officer as well as the court below and shall report to the officer in charge of the concerned police station within whose jurisdiction they shall reside once in a week until further orders. The petitioners shall surrender their passport to the investigating officer and if they do not possess a passport, shall submit an affidavit to that effect before the investigating officer.

In the event of arrest if the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail in accordance with law without further reference to this court.

The application for anticipatory bail is, thus, disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Rajasekhar Mantha, J.)

(Biswajit Basu, J.)