

65 03.12.2021
(AD)
Court No.29
(Partly
Allowed)

**C.R.M. 5719 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 24.08.2021 in connection with **Ratua** P.S. Case No. **98 of 2021** dated **06/03/2021** under Sections **341/323/376/511/34** of the Indian Penal Code vide G.R. No.507 of 2021.

And

In the matter of: Anil Mondal & Ors.

....petitioners.

Mr. Rana Mukherjee
Ms. Sujata Das

...for the petitioners.

Mr. Tanmoy Kumar Ghosh
Mr. Arindam Sen

...for the State.

Petitioners seek anticipatory bail.

On the prayer of the learned Advocate appearing for the petitioners, this petition is dismissed as not pressed on behalf of the petitioner no.2, namely, Noton Mondal @ Mrityunjoy Mondal and petitioner no.3, namely, Adhuna Mondal as they were arrested and subsequently granted bail by the jurisdictional Court.

Learned Advocate appearing for the petitioners submits that there are disputes with regard to an immovable property between the private parties. He draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. He submits that the petitioners were falsely implicated. There is a previous complaint lodged by the petitioners.

Learned Advocate appearing for the State draws the

attention of the Court to the contents in the case diary.

Considering the materials on record and considering the gravity of the offence and the complicity of the petitioners therein and considering the fact that there are disputes with regard to an immovable property between the private parties as appearing in the statement recorded under Section 164 of the Code of Criminal Procedure of the victim, we grant anticipatory bail to the petitioner no.1, namely, Anil Mondal.

Accordingly, we direct that in the event of arrest, the petitioner no.1 shall be released on bail upon furnishing a Bond of Rs.10,000/- with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner no.1 shall meet the Investigating Officer once a month till the conclusion of the investigation and that the petitioner no.1 shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 5719 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Krishna Rao, J.)