

30.09.2021
Serial no. 47
Dd

(Through Video Conference)

CRM 6423 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure filed on **24th September, 2021** in connection with **Khatra Women** Police Station Case No.**09** of **2021** dated **28.08.2021** under Sections **498A/325/506/307** of the Indian Penal Code.

-And-

In the matter of : **Totan Gorai & Ors.**

... Petitioners

Mr. Dhananjay Banerjee
Ms. Oindrila Ghosh, Advocate
... .. For the Petitioners

Mr. Saswata Gopal Mukerjee, Id. PP
Ms. Faria Hossain,
Mr. Aniket Mitra, Advocates
... ...For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the State submits that there is history of assault on the de facto complainant by the petitioner no. 1.

Considering the materials in the case diary, we are not inclined to grant anticipatory bail to the petitioner no. 1. However, considering the complicity of the other petitioners, we grant anticipatory bail to petitioner no. 2, Subal Garai @ Subal Chandra Garai and petitioner no. 3, Namita Garai.

Accordingly, we direct that in the event of arrest, the petitioner nos. 2 and 3 shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, 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 on further condition that the

petitioner nos. 2 and 3 shall appear before the Court below and pray for regular bail within four weeks from date and on a further condition that the petitioner no. 2 will report to the Investigating Officer once in a month, and petitioner no. 3 will cooperate with the investigation of the case.

Prayer for anticipatory bail of petitioner nos. 2 and 3 is **allowed** and prayer for anticipatory bail of petitioner no.1 is **dismissed**.

CRM 6423 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)