

08.11.2021
Serial no. 34
Aloke
Ct. No. 29

(Through Video Conference)

CRM 6540 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 28.09.2021 in connection with Bhutni Police Station Case No. 98 of 2021 dated 06.06.2021 under Sections 498A/304B/34 of the Indian Penal Code.

-And-

**In the matter of: Birendra Nath Mondal @ Biren Mondal & Ors.
... Petitioners**

Ms. Minoti Gomes, Advocate
Mr. Kausik Biswas, Advocate
... ... For the Petitioners
Ms. Faria Hossain, Advocate
Ms. Baisali Basu, Advocate
... ... For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that since the police concluded the investigation and submitted charge-sheet custodial interrogation of the petitioners are not required. She submits that the husband was granted bail by the jurisdictional court after 46 days in custody.

Learned Advocate appearing for the State draws the attention of the Court to the postmortem report and the statement recorded under Section 161 of the Code of Criminal Procedure.

Considering the fact that the police submitted charge-sheet and considering the fact that the husband was granted bail by the jurisdictional court, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners 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 petitioners shall appear before the jurisdictional

court and pray for regular bail within four weeks from date and with a further condition that the petitioners shall appear before the jurisdictional court on every date fixed for hearing.

The prayer for anticipatory bail is allowed.

CRM 6540 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)