

26.10.2021
Court No.8
SL No. 11
Sdas/AJ

Allowed

CRM 6840 2021
(Via video conferencing)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Hasnabad P.S. Case No. 378 of 2021 dated 20.06.2021 under Sections 498A/406/313/506/307/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

In the matter of : Kinkar Mondal & Anr.
.....Petitioners.

Mr. Kallol Kumar Basu,
Md. Jannat Ul Firdous.
...for the Petitioners.

Mr. Narayan Prasad Agarwala,
Mr. S. Kundu.
...for the State.

Mr. Surajit Basu.
...for the de-facto complainant.

Heard the learned lawyer for the petitioners as well as the learned lawyer for the State. Learned lawyer for the de-facto complainant also appears and made submissions.

It is alleged that the medicine was administered to the de-facto complainant. However, statements of the witnesses and medical reports do not corroborate the allegation fully. Investigation is not completed and is pending since long. The petitioners are the in-laws of the de-facto complainant. It is also a fact that complaint was lodged after a delay of seven months.

On perusal of case diary and other materials, we are inclined to allow anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners be released on 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and on further conditions that the petitioners shall co-operate with investigation, shall not tamper with evidence or hamper the investigation in any manner whatsoever.

The application for anticipatory bail is, thus, allowed.

(Sugato Majumdar, J.)

(Shekhar B. Saraf, J.)