

17.12.2021
Sl. No.88
akd
[PARTLY
ALLOWED]

C. R. M. 8121 of 2021 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 30.11.2021 in connection with Chakdah Police Station Case No. 660 of 2021 dated 17.11.2021 under Sections 498A/307/34 of the Indian Penal Code.

And

In Re: ***Tapan Dutta & Ors.***

... .. Petitioners

Mr. Shibaji Kumar Das

... .. for the petitioners

Mr. Imran Ali

Ms. Debjani Sahu

... .. for the State

Heard the learned advocates appearing for both the parties.

Having considered the materials on record prima facie disclosing involvement of petitioner no.1 in assaulting not only his wife but also a seven month old child, we are of the opinion that this is not a fit case to grant anticipatory bail to him.

Accordingly, the prayer for anticipatory bail of the accused/petitioner no.1 namely, ***(1) Tapan Dutta*** is rejected.

However, keeping in mind the extent of complicity of petitioner nos. 2 & 3 in the alleged crime, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest, the accused/petitioner nos.2 & 3 namely ***(2) Gouri Rani Dutta & (3) Shrabani Dutta Ghosh***, be released on bail upon furnishing 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 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 & 3 shall appear before the court below and pray for regular bail within four weeks from date.

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

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)