

21.12.2021

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Allowed

**C.R.M. 8394 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No. 569 of 2021 dated 28.10.2021 under Sections 498A/307/325/34 of the Indian Penal Code.

And

In Re : Bidhan Mondal petitioner

Mr. Amanul Islam
Mr. Sourav Mukherjee
.....for the petitioner

Mr. Imran Ali
Mr. Mirza Firoj Ahmed Begg
....for the State

It is submitted by the learned Counsel appearing for the petitioner that the petitioner has been falsely implicated in the instant case out of matrimonial discord.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and keeping in mind the nature of allegations and as no external injury is noted in the medical papers, we are of the opinion though custodial interrogation of the petitioner is not necessary he requires to co-operate with investigating officer.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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, 1973 and on further conditions that the petitioner shall meet the investigating officer once in a week until further orders and shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)