

21.12.2021
SI. No.109
akd
[PARTLY
ALLOWED]

C. R. M. 8706 of 2021

[via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 15.12.2021 in connection with Tehatta Police Station Case No. 463 of 2021 dated 13.09.2021 under Sections 448/325/326/307/34 of the Indian Penal Code.

And

In Re: ***Dipankar Mandal & Ors.***

... .. Petitioners

Mr. Sumanta Das

... .. for the petitioners

Md. Anwar Hossain

Ms. Sreyashee Biswas

... .. for the State

It is submitted on behalf of the petitioners that they are not the principal accuseds and they have been falsely implicated in the instant case.

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

We have considered the materials on record. Name of the petitioner no.1 appears in the medical records along with one Raja Mondal as the assailants of the victim who suffered head injuries. In view of the aforesaid fact, we are not inclined to grant anticipatory bail to him.

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

However, keeping in mind the extent of complicity of the 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) Suparna Mandal & (3) Mimi***

Mandal, 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.)