

02.03.2021
Item No.151
Ct.No.28
Subha
Allowed

C.R.M. 8109 of 2020
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Sasthi Mandal @ Shasthi Mandal**
.. Petitioner.

Ms. Amrita Chel
Mr. Musharraf Alam Sk.

... For the Petitioner.

Mr. Bidyut Kumar Roy
Ms. Rita Dutta

... For the State.

Apprehending arrest in connection with Chanchal Police Station Case No. 871 of 2020 dated 30.09.2020 under Sections 498A/323/325/307/506/34 of the Indian Penal Code read with Section 3 /4 of the D. P. Act (G. R. Case No. 2145 of 2020), the present application has been filed.

Ms. Chel, learned advocate appearing for the petitioner submits that the petitioner is the husband and the present case has been initiated by way of a counter-blast to

the MAT suit which was filed before the learned Additional District Judge, Chanchal, Malda being Matrimonial suit No. 29 of 2018.

Mr. Roy, learned advocate appearing for the State opposes the prayer for anticipatory bail of the present petitioner.

We have considered the prayer for anticipatory bail and we find that two civil cases were earlier preferred and were pending between the parties being MAT Suit No. 29 of 2018 and MAT Suit No. 33 of 2019.

Having regard to the same, we are of the opinion that the custodial detention of the present petitioner may not be warranted. As such, the petitioner is entitled to the privilege of anticipatory bail.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Sasthi Mandal @ Shasthi Mandal** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) with two sureties of like amount each, one of whom must be local, 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.

The application for anticipatory bail, being CRM 8109 of 2020 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)