

CRM No.8454 of 2020

Via video conference

30.06.21

(S.R.)

Sl.26

Ct.30

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Harishchandrapur** Police Station Case **No.395** of **2020** dated **23/06/2020** under Sections **143/144/186/332/333/353/307/34** of the Indian Penal Code;

And

In re: Kalpana Mondal & Ors.

... petitioners.

Mr. Soupal Chatterjee

... for the petitioners.

Mr. N. Ahmed

Md. Anwar Hossain

Ms. Sreyashee Biswas

...for the State.

Records reveal that the matter last appeared on 21st October, 2020 and an interim order was passed in favour of the petitioners.

Mr. Chatterjee, learned advocate appearing for the petitioners submits that the petitioners, who are female members of a family, have been falsely implicated on the basis of a *suo motu* complaint lodged by a sub-inspector of police. The petitioners have been roped in when a raid was being conducted to arrest accused persons in connection with another case. Upon completion of investigation, charge sheet has already been submitted and as such, custodial interrogation of the petitioners is not necessary.

Mr. Ahmed, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances, more so when, upon completion of

investigation charge sheet has already been filed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **1. Kalpana Mondal, 2. Niva Mondal @ Nifa Mondal, 3. Mangala Mondal @ Monla @ Mongni and 4. Mousumi Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 with a further condition that the petitioners shall cooperate with the investigation.

The application for anticipatory bail being CRM No.8454 of 2020 is, accordingly, disposed of.

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

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)