

25.02.2021

Item No.32

Ct.No.28

dc.

Allowed

C.R.M. 10541 of 2020

(Via Video Conference)

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

And

In Re : **Mintu Das & Anr.**

... Petitioners.

Mr. Sumanta Chakraborty

... For the Petitioners.

Mr. S. S. Imam,

Mr. S. Kundu

... For the State.

Apprehending arrest in connection with Gobardanga P.S. Case No. 218 of 2020 dated 05.09.2020 under Sections 498A/306/34 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioners submits that the petitioner no.1 is the brother-in-law of the deceased and the petitioner no.2 is the wife of the petitioner no.1. They have been falsely implicated on the basis of a complaint lodged about nine years after the marriage of the victim lady. The petitioners also did not reside in the same mess along with the husband of the deceased. The husband has already been enlarged on bail and in the said

conspectus, custodial interrogation of the petitioners is not necessary.

The learned advocate appearing for the State opposes the petitioners' prayer.

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.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioners, namely, 1. **Mintu Das** and 2. **Ratna Das** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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. The petitioner no.1, namely, Mintu Das shall meet with the Investigating Officer once a week on and from 1st March, 2021 until further orders.

The application for anticipatory bail, being CRM 10541 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.)