

27.07.2021
Court No.30
Item No. 04
Krishnendu
Allowed

**CRM 10597 of 2020
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In Re : **Tarun Kumar Mandal & Ors.**

Petitioners

Ms. Minoti Gomes

For the Petitioners

Mr. Saswata Gopal Mukherji, Id. P.P.

Mr. Iqbal Kabir

For the State

Apprehending arrest in connection with Jadavpur Police Station (under Kolkata Police) Case No. 348 of 2020 dated 10.11.2020 under sections 498A/406/506/34 of the Indian Penal Code read with sections 3 and 4 of the Dowry Prohibition Act , the petitioners have filed the present application.

Records reveal that the matter was heard on 23rd December, 2020 and it was, *inter alia*, directed that the petitioners shall not be arrested in connection with this case for a period of six weeks.

Ms. Gomes, learned advocate appearing for the petitioners submits that the petitioner nos. 1, 2, 3 and 4 are the father-in-law, mother-in-law, sister-in-law and cousin sister-in-law respectively of the victim lady. They have been falsely implicated. The allegations levelled are omnibus in nature and in

the said conspectus, custodial interrogation of the petitioners is not necessary.

Ms. Gomes further submits that the principal accused is the husband of the victim lady and he has also preferred an anticipatory bail application, being CRM 2035 of 2021.

Mr. Mukherji, learned Public Prosecutor appearing for the State, opposes the petitioners' prayer and draws our attention to several documents in the case diary wherefrom it appears that some stridhan articles have been recovered. However, for recovery of other articles, the complainant herself did not extend any co-operation. Let the report, as filed, be kept with the records.

Having heard the learned advocates appearing for the respective parties 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 of the case.

Accordingly, we allow this application and direct that in the event of arrest the petitioners, namely, **Tarun Kumar Mandal, Rekha Mandal, Dipa Mandal and Sudeshna Mandal**, shall be released on bail upon furnishing a bond of Rs.10,000/- 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 .

The application for anticipatory bail, being CRM No. 10597 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.

(Subhasis Dasgupta, J)

(Tapabrata Chakraborty, J)