

04.03.2021
Court No.28
Item No. 32
Sc

**C.R.M. 10764 of 2020
(Via video Conference)**

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

And

In re: **Raju Mondal alias Ajbar Mondal & Ors.**

.....Petitioners

Ms. Sinthia Bala
Mr. Diptendu Banerjee.

....For the Petitioners

Mr. Imran Ali
Mr. Sk. Arif hossain.

.....For the State

Apprehending arrest in connection with Domkal Police Station Case No. 658 of 2020 dated 03.11.2020 under sections 498A/323/325/307/34 of the Indian Penal Code, the petitioners have filed the present application.

Ms. Bala, learned advocate appearing for the petitioners submits that the petitioners no. 1 and 2 are the brothers-in-law of the victim girl and the petitioner no. 3 is the mother-in-law. They have been falsely implicated. The principal accused, being the husband, was arrested and subsequently he was enlarged on bail. In such conspectus, custodial interrogation of the petitioners is not necessary.

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

Having heard learned advocates and considering the materials in the case diary, the nature of allegations and the fact that the principal accused has already been enlarged on bail, we are of the opinion that custodial interrogation of the petitioners is not

warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Raju Mondal alias Ajbar Mondal, Sariful Mondal and Altafon Bewa**, 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.

The application for anticipatory bail, being CRM No. 10764 of 2020, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)