

04.03.2021
Court No.28
Item No. 37
Sc

**C.R.M. 10773 of 2020
(Via video Conference)**

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

And

In re: **Smt. Parbati Das @ Pravati Das & Anr.**

.....Petitioners

Mr. Pritam Majumdar

.....For the Petitioners

Mr. Goutam Wilson

.....For the State

Apprehending arrest in connection with Bhatpara Police Station Case No. 432 of 2020 dated 08.11.2020 under sections 323/325/494/380/506/34 of the Indian Penal Code, the petitioners have filed the present application.

Mr. Majumdar, learned advocate appearing for the petitioners submits that the instant case was initiated due to trivial matrimonial disputes and the petitioners are innocent of the charges. Learned advocate also submits that the petitioners have complied with the notice under Section 41(A) of the Code of Criminal Procedure.

Mr. Wilson, learned advocate appearing for the State opposes the petitioners' prayer and draws the attention of this court to the statements of the witnesses as also the nature of allegations made in the application under Section 156(3) of the Code of Criminal Procedure.

We have assessed the materials on record including those appearing in the case diary which have been produced by the State. On an assessment of the same, we are of the opinion that the custodial detention of the petitioners may not be warranted,

as such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, Smt. Parbati Das @ Pravati Das and Abhishek Sarkar @ Raja, 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. 10773 of 2020, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)