

01.03.2022

Court No.32

rpan / **13**

C.R.M.(A) 379 of 2022

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

And

In re: **Smt. Mausumi De & Another**

- Petitioners.

Mr. Gopal Chandra Ray

... for the Petitioners.

Mr. Abhra Mukherjee,

Mr. Gautam Banerjee

... for the State.

Apprehending arrest in connection with Haringhata Police Station Case no.09 of 2022 [FIR No.09/22] dated 09.01.2022 under Sections 498A/323/406/34 of the Indian Penal Code, the petitioners have filed the present application.

Heard the learned advocates appearing for the respective parties. Considering the materials in the case diary, the nature of accusations, the injury report and the possible extent of complicity of the petitioners in the alleged offence, we are of the opinion that their custodial interrogation is not necessary.

Accordingly, we allow the prayer for anticipatory bail and direct that in the event of arrest, the petitioners, namely, **Smt. Mausumi De** and **Sri Mithun De** 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 with a further condition that the petitioner no.2 shall meet with the Investigating Officer of the case once a week till investigation is complete.

It is further directed that the petitioners shall attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel their bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 379 of 2022 is, thus, disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)