

07.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1087 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bamongola** Police Station Case No. **224** of **2021** dated **07.12.2021** under Sections 498A/306/34 of the Indian Penal Code, 1860 (Charge-sheet submitted under Sections 498A/306/34 of the Indian Penal Code, 1860).

And

In Re : Jhantu Mandal & Anr.

..... petitioners

Ms. Minoti Gomes

....for the petitioners

Mr. Joydip Roy

Ms. Sujata Das

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated. The police filed charge-sheet and, therefore, custodial interrogation of the petitioners are not required.

Learned advocate appearing for the State submits that, a twenty year old married wife committed suicide because of the torture meted out to her. He draws the attention of the Court to the contents in the case diary.

Considering the fact that the police filed charge-sheet and considering the gravity of the offence and the involvement of the petitioners therein, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

In the event the petitioners fail to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel the bail of the petitioners without any further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

