

27 26.07.2022
(AD)
Court No.29
(Partly
Allowed)

C.R.M. (A) 3545 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No. **152 of 2022** dated **15/07/2022** under Sections **341/325/326/307/34** of the Indian Penal Code, 1860.

In the matter of: Alpana Mondal & Anr.

....petitioners.

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioners.

Ms. Faria Hossain
Ms. Mamata Jana

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners also lodged a police complaint in respect of the incident. The petitioners suffered injuries also.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary.

It appears from the case diary that two persons suffered grievous hurt.

The statement recorded under Section 161 of the Code of Criminal Procedure implicates the second petitioner.

Apparently, there are *omnibus* allegations as against the first petitioner.

In such circumstances, we grant anticipatory bail to the first petitioner, namely, Alpana Mondal.

Accordingly, we direct that in the event of arrest, the petitioner no.1, namely, Alpana Mondal, shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand

Only) 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 and on condition that the petitioner no.1, namely, Alpana Mondal, will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner no.1, namely, Alpana Mondal, shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioner no.1, namely, Alpana Mondal, in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner no.1, namely, Alpana Mondal, is allowed.

So far as the second petitioner, namely, Bhabatosh Mondal, is concerned, we are unable to grant anticipatory bail to the second petitioner.

Accordingly, the prayer for bail of the second petitioner, namely, Bhabatosh Mondal, is rejected.

C.R.M. (A) 3545 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)