

CRM 8032 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Mukunda Mondal**

..... petitioner

Mr. Kamalesh Chandra Saha

.....For the petitioner

Ms. Sonali Das

.....For the State

Apprehending arrest in connection with Sashan Police Station Case No. 291 dated 18.10.2021 under Sections 448/323/325/307506/354/34 of the Indian Penal Code, the instant application for anticipatory bail is filed.

Mr. Saha, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated due to previous enmity. The allegations are omnibus in nature and co-accused persons, similarly situated with the petitioner, had already been granted anticipatory bail by the learned Court below. In the said conspectus, custodial interrogation is not necessary.

Ms. Das, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses and the injury report.

Having heard learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of accusations, the injury report and the extent of complicity of the petitioner in the alleged offence, we

are of the opinion that custodial interrogation is not necessary.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Mukunda Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 direction that the petitioner shall cooperate with the investigation and shall meet with the investigating officer as and when called for.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses. He shall also attend learned Court below on all the dates, as specified for hearing.

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

The application for anticipatory bail, being CRM 8032 of 2021, 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.)