

96 02.01.2023
(AD) Court No.29
(Allowed)

C.R.M. (A) 6066 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** P.S. Case No.**1546 of 2022** dated **13/10/2022** under Sections **498A/304B/302** of the Indian Penal Code.

And

In the matter of: **Ramesh Mandal & Anr.**

....petitioners.

Ms. Minoti Gomes

...for the petitioners.

Mr. Partha Pratim Das

Ms. Manasi Roy

...for the State.

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the State submits that the petitioners are not named in the first information report. They are not within the purview of the investigation as on date. The investigations are, however, yet to be concluded.

There is an averment in paragraph 6 of the petition claiming that the police are chasing the petitioners and they are apprehending arrest.

The petitioners are the in-laws of the victim. They are living separately as on date as claimed on behalf of the State. The petitioners are not within the purview of the investigations. However, they are apprehending arrest because the police are chasing them.

In such circumstances, 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/- (Rupees Ten Thousand Only) each, 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 further condition that the petitioner no.1 will report before the Investigating Officer as and when called for till the conclusion of the investigation and petitioner no.2 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 6066 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)