

05.09.2024

Court No.29

Item No. 30

Allowed

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CRM (A) 3095 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nanoor Police Station Case No.140 of 2024 dated 08.08.2024 corresponding to G.R Case No. 994 of 2024 under Sections 85/109/316(2)/3(5)of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Avijit Mondal @ Abhijit Mondal & Ors.**

Petitioners

Mr. Biswajit Hazra

Mr. Archisman Sain

Mr. Arif Mahammad Khan

Mr. Sk. Nadeed Ahmed

For the Petitioners

Mr. Partha Pratim Das

Ms. Debjani Sahu

For the State

1. Heard the learned counsel appearing for the parties and perused the materials on record.
2. It is submitted that the principal accused is the husband who has been arrested during the pendency of this case and subsequently after a week he has been granted bail. The present petitioners are the mother-in-law and the sister-in-law of the de-facto complainant.
3. Considering the materials available in case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and the nature of allegation and the fact that the principal accused is already on bail, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Amita Mondal and Popy Ghosh** shall be released on bail upon

furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023. The **petitioner nos. 2 and 3** shall meet the I.O as and when called for following the norms of female accused and on further condition that the petitioners shall appear before the learned **Additional Chief Judicial Magistrate, Bolpur, Birbhum**, within two weeks from date in connection with **G.R Case No. 994 of 2024**. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Shampa Dutt (Paul), J)