

13.02.2024
Item No.108
Ct. No. 29
CHC
Allowed

C.R.M.(A) 5208 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nimta** Police Station Case No. **420** of **2023** dated **21.09.2023** under Sections **153A/323/384/500/504/506/34** of the Indian Penal Code, 1860 and under Section **3(p)(r)(s)** of S.C. & S.T. (Prevention of Atrocities) Act, 1989.

And

In the matter of : Madhuparna Pal @ Paul & ors.

..... petitioners

Mr. Pawan Kumar Gupta,
Ms. Sofea Nesar,
Mr. Santanu Sett

....for the petitioners

Mr. Debasish Roy, Ld. P.P.
Mrs. Rituparna De Ghose

....for the State

Mr. Santanu Chatterjee

...for the de facto complainant

Petitioners pray for anticipatory bail.

Petitioners before us are the wife and in-laws of the de facto complainant.

There is a police complaint *inter alia* under Section 498A of the Indian Penal Code lodged by the petitioner no.1 against the de facto complainant earlier in point of time. Apparently, when, the in-laws went to the house of the de facto complainant

for the purpose of recovering the Streedhan articles, the present police complaint was lodged.

State and the de facto complainant are represented.

It is submitted on behalf of the de facto complainant that, the petitioner no.1 did not reside at her matrimonial home.

Materials in the Case Diary do not rule out the possibility of a false implication of the petitioners and that, the present police complaint being lodged as a counter blast.

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 be 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, namely, Madhuparna Pal @ Paul, petitioner no.2, namely, Smt. Anita Pal @ Paul and petitioner no.3, namely, Smt. Sunita Banerjee will cooperate with the investigation and petitioner no.4, namely, Prabir Banerjee and petitioner no.5, namely, Pradip Nath will report before the Investigating Officer once in a month till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 5208 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)