

30.7.2020  
ap

**CRM 5017 of 2020**

**(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Cooch Behar Kotwali P.S. Case No. 254 of 2019 dated 28.04.2019 under Sections 114/306/116/109 of the Indian Penal Code.

And

In the matter of: **Kanika Gope**

....Petitioner.

Mr. Debjit Kundu

...for the Petitioner.

Mr. Aditi Shankar Chakraborty  
Mr. Tapan Bhattacharya

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that a minor dispute between two families led to some altercation but no one has died for a charge under Section 306 to be brought.

The State agrees that no one has died. Under such circumstances, Section 306 of the Code may be irrelevant.

The principal accused is the son of the present petitioner. Such principal accused is on bail.

Considering the nature of the incident, the custodial interrogation of the petitioner may not be necessary.

In the event of arrest, the petitioner will be enlarged on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand) together with personal release bond of equivalent value to the satisfaction of the arresting officer. In addition, the petitioner will abide by the conditions in Section 438(2) of the Code.

CRM 5017 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)