

20.12.19

Sl. No.91

akd

[ALLOWED]

C. R. M. 12142 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 19.12.2019 in connection with Samuktala Police Station Case No. 289 of 2019 dated 21.10.2019 under Sections 326/307/34 of the Indian Penal Code. (G.R. Case No.2118 of 2019)

And

In Re: **Sankar Biswas**

... .. Petitioner

Mr. Abhimanyu Banerjee .. Advocate

... .. for the petitioner

Mr. Rudradipta Nandy .. Advocate

... .. for the State

Heard the learned advocate appearing for both the parties.

It is submitted on behalf of the petitioner that the present complaint is the fall out of a family dispute and he has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and refers to the injury report of the victim.

Having considered the materials on record and in view of the fact that the petitioner is not the principal assailant, we are of the opinion that custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Sankar Biswas**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 he shall meet the

Investigating Officer once in a week until further orders and shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)