

10.09.2020
Item no. 16
Ct.11
BP/CHC
Allowed

C.R.M. No.2819 of 2020
[C.R.A.N.1 of 2020 (Old No.C.R.A.N.3332 of 2020)]
(Via Video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Liluah Police Station Case No.80 of 2020 dated 05.03.2020 under Sections 447/379/323/427 of the Indian Penal Code.

And

In the matter of:-

Niraj Goel

... Petitioner

Mr. Saumya Nag,
Mr. Aditya Tiwari

.. for the petitioner

Ms. Faria Hossain,
Mr. Aniket Mitra

..for the State

Learned advocate for the petitioner submits that the parties are known to each other and there are civil suit pending between the parties. Learned advocate further submits that considering nature of allegations the custodial detention of the petitioner may not be warranted in the factual backgrounds of the case.

Learned advocate for the State opposes the prayer for anticipatory bail and draws the attention of the different statements as available in the Case Diary.

We have perused the materials on record including the injury report as well as the statement of the complainant. On perusal of

the same, we are of the opinion that custodial detention of the petitioner is not required for the sake of investigation and accordingly the prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount, one of whom must be local, to the satisfaction of arresting officer and on condition that he shall not tamper with the evidence or intimidate the witnesses. Further, the petitioner shall make himself available as and when required by the investigating officer of that case.

The aforesaid order of anticipatory bail shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

With these observations, CRM 2819 of 2020 and CRAN 1 of 2020 (Old No. CRAN 3332 of 2020) are disposed of.

Learned appropriate Trial Court as well as all concerned authorities shall act in terms of the copy of the order downloaded from the official website of this Court.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)

