

18.09.2020

Court No. 19
Item No. 30
abhar/bdatta

CRM 5646 of 2020
With
CRAN 1 of 2020
(CRAN 4014 of 2020)
(Via Video Conference)

(antibail - allowed)

In Re: An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with Jadavpur Police Station Case No. 455 of 2019 dated 19.12.2019 under Sections 342/323/384/387/468/34 of the Indian Penal Code.

and

In the matter of: **Pritam Sengupta**

..... Petitioner

Mr. Sachetan Ghosh

.....for the Petitioner

Mr. Tanmoy Ghosh

Ms. Sima Biswas.

..... for the State

The learned advocate for the petitioners undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application being CRAN 1 of 2020 is accordingly disposed of.

The learned advocate for the petitioner submits that the petitioner has been falsely implicated in connection with the above-mentioned case where, in fact, there is no nexus with the same. It is further submitted that the alleged story of physical assault would be belied from the statement recorded during the investigation.

The learned advocate appearing for the State submits that though there is a statement of physical assault but there is no medical report nor there is any evidence forthcoming in this regard.

After hearing the respective counsel and on perusal of the averments made therein as well as the statement recorded during the investigation does not inspire us that any custodial interrogation is necessary. Accordingly, the prayer for anticipatory bail is allowed.

Therefore, we direct that 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 each, to the satisfaction of the arresting officer 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 cooperate with the investigation.

The application being **CRM 5646 of 2020** is **allowed**.

(Tirthankar Ghosh, J.)

(Harish Tandon, J.)