

24.09.2020

Item no. 21

Ct.12

CHC

Allowed

C.R.M. No.5758 of 2020
[C.R.A.N.1 of 2020 (Old No.C.R.A.N.4152 of 2020)]
(Via Video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Rejinagar Police Station Case No.92 dated May 01, 2018 under Sections 341/186/353/332/333/307/34 of the Indian Penal Code and Sections 3/ 4 of the Explosive Substances Act.

And

In the matter of:-

Golam Kibria @ Titan @ Titan Sk. & ors.

... Petitioners

Mr. Navonil De

.. for the petitioners

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi

..for the State

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

Learned advocate for the petitioners submits that there was no *mala fide* on the part of the present petitioners and injuries complained of are not grievous in nature so as attract the offences under Section 307 of the Indian Penal Code.

Learned advocate for the State opposes the prayer for anticipatory bail and draws the attention of this Court to the statements of various witnesses.

We have perused the materials on record and we are of the opinion that the charge-sheet has already been submitted and petitioners are not required to be detained for the sake of investigation.

Accordingly, the prayer for anticipatory bail is allowed for a period of four weeks.

Accordingly, in the event of arrest, the petitioners namely, Golam Kibria @ Titan @ Titan Sk, Prabir Bhowmick and Abbas Sk. @ Mondal be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of Learned Chief Judicial Magistrate, Berhampore.

This order of anticipatory bail will remain in force till 19.10.2020.

The petitioners are directed to surrender before Learned Chief Judicial Magistrate, Berhampore within the aforesaid period.

With these observations, CRM 5758 of 2020 and CRAN 1 of 2020 (Old No. CRAN 4152 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.

(Tirthankar Ghosh, J.)

(Sahidullah Munshi, J.)

