

24.09.2020

Item no. 22

Ct.12

CHC

**Allowed**

**C.R.M. No.5777 of 2020**  
**[C.R.A.N.1 of 2020 (Old No.C.R.A.N.4185 of 2020)]**  
**(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Balurghat Police Station Case No.154/2020 dated 28.04.2020 under Sections 505/505(1)(b) of the Indian Penal Code.

And

In the matter of:-

Pintu Kundu

... Petitioner

Mr. Jayanta Narayan Chatterjee,  
Mr. Nazir Ahmed

.. for the petitioner

Mr. Rana Mukherjee,  
Ms. Sujata Das

..for the State

The petitioner undertakes 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 petitioner submits that the petitioner is the reporter and on the basis of the reporting case has been initiated against him. He further submits that on the same cause of action another case was registered where he has already been granted anticipatory bail in that case.

Learned advocate for the State opposes the prayer for anticipatory bail and draws the attention of this Court to the materials available in the Case Diary.

We have perused the materials in the Case Diary as also the earlier order dated 18<sup>th</sup> June, 2020 passed in C.R.M.4072 of 2020 in respect of another case arising out of similar cause of action. On appreciation of the totality of the circumstances, we are inclined to allow the prayer for anticipatory bail of the present petitioner.

Accordingly, in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.1,000/- (Rupees One Thousand only), with one surety, to the satisfaction of arresting officer and on condition that petitioner 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 5777 of 2020 and CRAN 1 of 2020 (Old No. CRAN 4185 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.)**

