

03.09.2020

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BR/AGM
Ct. No.11

Allowed

**CRM 6189 of 2020
CRAN 4698 of 2020
(Via Video Conference)**

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Suril P.S. Case No. 206 dated 24.07.2020 under Sections 341/323/325/326/506/34 of the Indian Penal Code, G.R. Case No. 553 of 2020.

And

In the matter of : **Dilip Kumar Mondal**

..... Petitioner

Mr. Saryati Dutta

.... for the Petitioner

Mr. Tanmoy Ghosh,
Ms. Shila Biswas.

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

Mr Datta, learned advocate appearing for the petitioner submits that he is innocent of charges and has been falsely implicated in the case. He further submits that custodial detention is unwarranted for the sake of investigation.

The learned advocate for the State opposes the prayer for anticipatory bail and draws the attention of this Court to the injury report.

We have perused the injury report and on considering the same we are of the opinion that custodial detention of the petitioner is not warranted in the facts and circumstances of the case.

As such, the prayer for anticipatory bail of the petitioner is allowed.

In the event of arrest, the petitioner shall be released on furnishing bond of Rs.10,000/- (rupees ten thousand only) with two sureties of Rs.5000/- (rupees five thousand) to the satisfaction of the arresting officer or the investigating officer of the case and on condition that the petitioner shall not tamper with the evidence or intimidate the witnesses.

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 6189 of 2020 and CRAN 4698 of 2020 are disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)

