

03.09.2020

BP
Sl.43

CRM 6195 of 2020
With
CRAN 4702 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Kaliachak Police Station Case No. 581 of 2020 dated 28.07.2020 under Sections 447/427/34 of the Indian Penal Code and Sections 54/27 of the Arms Act Act.

In the matter of : Asraul Haque @ Esraul Sekh.....
petitioner

Mr. Arnab Chatterjee
..for the petitioner.

Mr. M. Sur
Mr. Aniket Mitra
..for the State.

Learned advocate for the petitioner submits that the petitioner is innocent of the charges and he has been falsely implicated out of local rivalry. He further submits that the custodial detention of the petitioner may not be warranted in the facts and circumstances of the case.

Learned advocate for the State opposes the prayer for bail and draws the attention of this court to the conduct of the present petitioner.

Having regard to the materials on record and on perusal of the same, we are of the opinion that the custodial detention of the petitioner is unwarranted and the petitioner may be granted the privilege of anticipatory bail.

Accordingly, we allow the prayer for anticipatory bail.

In the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of like amount, to the satisfaction of the arresting officer of the case.

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

The application for anticipatory bail being C.R.M. 6195 of 2020 and CRAN 4702 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)