

08.09.2020.

Item No. 41

ap
(Allowed)

C.R.M. 6202 of 2020
With
CRAN 1 of 2020 [Old No. CRAN 4710 of 2020]
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 22.08.2020 in connection with Darjeeling Sadar Police Station Case No. 01 of 2020 dated 04.01.2020 under Section 505(2) of the Indian Penal Code (G.R. Case No. 03 of 2020).

And

In the matter of: Upendra Mani Pradhan @ Upendra Pradhan.
...Petitioner

Mr. Anand Bhandari. ...For the petitioner

Mr. Niloy Chakraborty,
Mr. Biswarup Roy.For the State

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.

Accordingly, the application, being CRAN 1 of 2020 (Old No. CRAN 4710 of 2020), is disposed of.

It is submitted on behalf of the petitioner that the ingredients of the offence punishable under Section 505 of the Indian Penal Code are not disclosed and there is delay in lodging the FIR.

Learned Lawyer appearing on behalf of the State opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of the allegations, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)