

CRM 6208 of 2020
with
CRAN 1 of 2020
(old CRAN 4717 of 2020)
(Via Video Conference)

In re : An application for bail under Section 438 of the Code of Criminal Procedure in connection with Alipurduar P.S. Case No. 353 of 2020 dated 26.07.2020 under Sections 188/341/353/323/307/379/506/34 of the Indian Penal Code as also read with Section 51 of the Disaster Management Act.

In the matter of : **Dulal Modak & Ors.**

..... petitioners

Ms. Rituparna Ghosh

....For the petitioners

Mr. Aditi Shankar Chakraborty

Mr. Aniruddha Biswas

.....For the State

The petitioners undertake 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.

The petitioners say that a personal enmity with the de-facto complainant has resulted in a false charge being filed.

The State refers to the injuries suffered. It does not appear from the injury reports that there was any intention to kill or maim anybody.

Considering the nature of the incident and the extent of the injuries, the custodial interrogation of the petitioners may not be necessary.

In the event of the arrest, the petitioners will be enlarged 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 the arresting officer. The petitioners will also comply with the conditions laid down in Section 438 (2) of the Code.

CRM 6208 of 2020 and the interim application therein are disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)