

9.10.2020
Item no. 5
Ct.11
FB/G. S. Das

C.R.M. No.6366 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Bansdroni P.S. Case No. 69 of 2020 dated 15.7.2020 under Section 498A/506/34/376/511 of the Indian Penal Code, 1860, ACGR 3132 of 2020.

And

In the matter of:-

Sandip Dutta @ Sandip Kr. Dutta & ors.

... Petitioners

Mr. Jayanta Samanta

Mr. Nitankar Dutta Banik

.. for the petitioners

Mr. Ashis Kr. Mukherjee

...for the Defacto-complainant

Mr. P. K. Datta, APP

Mr. Santanu Deb Roy

... for the State

The petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing.

Heard Learned Counsel for the petitioners.

Perused the case diary as produced by Learned State Counsel.

Having regard to the materials on record, which disclose allegations and counter-allegations *inter se* the accused and the *defacto*-complainant, as well as the requirements of the investigation, this Court is of the view that the custodial interrogation of the petitioners is not warranted.

Accordingly, in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with one surety each, to the satisfaction of the arresting officer and on condition that petitioners shall not tamper with the evidence or intimidate the witnesses. Further, the petitioners shall make themselves available as and when required by the Investigating Officer of the 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 6366 of 2020 stands accordingly disposed of.

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

Urgent xerox certified copy of this order if applied for be supplied to the parties, subject to compliance with all requisite formalities.

(Shivakant Prasad, J.)

(Subrata Talukdar, J.)