

24.11.2020
SL No.4
Court No.12
(gc)
(antibail allowed)

CRM 6388 of 2020
CRAN 1 of 2020

(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali** P.S. Case No.**429/2020** dated **12.07.2020** under Sections **448/376/325/506/34** of the Indian Penal Code.

And

In the matter of: **Kush Saha**

....Petitioner.

Mr. Arnab Ghosh,

...for the Petitioner.

Mr. Aditi Shankar Chakraborty,

Mr. Aniruddha Biswas,

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The learned Counsel for the petitioner submits that the petitioner has been falsely implicated in this case.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail.

We have perused the Case Diary and the materials available along with the Case Diary. We have also considered the statement under Section 164 of the Cr.P.C.

Having considered the materials on record and the extent of complicity of the petitioner in the commission of alleged offence, we are of the view that the custodial interrogation of the petitioner is not necessary. Under such circumstances, we are inclined to

grant anticipatory bail to the petitioner subject to stringent conditions.

In the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.5,000/- (rupees five thousand) together with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer subject to the conditions as laid down under Section 438(2) of the Cr.P.C., 1973. The petitioner shall not enter the jurisdiction of the concerned Police Station except for meeting the Investigating Officer and/or attending the Court. It is also directed that the petitioner shall meet the Investigating Officer of the case once a week until further order.

Accordingly, the application for anticipatory bail being CRM 6388 of 2020 and CRAN 1 of 2020 are allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)