

10.09.2020
SL No.31
Ar/pk

CRM 6402 of 2020
With
CRAN/1/2020
(Through Video Conference)

In Re: - An application for bail under Section 438 of the Code of Criminal Procedure in connection with Bauria Police Station Case No. 203 of 2019 dated 26.12.2019 under Sections 341/325/448/354B/323/307/506/34 of the Indian Penal Code.

And

In the matter of: **Paromesh Dushan @ Parbesh Dusad & Ors.**
.....Petitioners.
Mr. Anindya Chowdhury
...for the Petitioners.
Mr. Rana Mukherjee
Ms. Sujata Basu
...for the State.

Petitioners undertake 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 conferencing.

Accordingly, the application being CRAN 01 of 2020 is disposed of.

The learned advocate for the petitioners submits that the they are innocent of the charges levelled against them and belated complaint has been lodged and the petitioners have been falsely implicated in connection with this case. He further submits that considering the nature of allegation against the petitioners the custodial detention of the petitioners are not necessary in the instant case.

The learned advocate for the State draws the attention of this Court to the different injury reports as well as 164 statement of one of the injured.

We have taken into account the injury report as well as the statement of the injured under Section 164 Cr.P.C and on appreciation of the same, we are of the opinion that though a case has been made out but the custodial detention of the petitioners are not necessary in the facts and circumstances of the case.

As such, the prayer of the petitioners is allowed.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and on condition that during bail, they must not tamper with the evidence nor intimidate the witnesses in any manner.

The aforesaid conditions are in addition to Section 438(2) of the Cr.P.C.

Accordingly, the application for anticipatory bail is allowed.

C. R. M. 6402 of 2020 is disposed of.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)