

46 Court 8
sg 16-09-2020

C.R.M. 6610 of 2020
IA No. CRAN 1 of 2020
(Via Video Conference)

Allowed

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sagarpara Police Station Case No. 10 of 2020 dated 27.07.2020 under sections 448/325/308/354/506/34 of the Indian Penal Code.

Tinku Mondal @ M Bakiul Islam Tinku & Ors.
Versus
State of West Bengal

Mr. Somnath Adhikary, Adv.

...for the petitioners.

Ms. Zareen N. Khan, Adv.

Ms. Manisha Sharma, Adv.

...for the State.

The petitioners undertake to affirm and stamp the petition/application as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

Accordingly, CRAN 1 of 2020 is disposed of.

Learned Counsel appearing on behalf of the petitioners submits that there is a delay in lodging the first information report.

Learned Counsel appearing on behalf of the State opposes the prayer for bail. However, he refers to the injury report of the victim. Injury recorded is simple in nature.

Considering the materials available in the case diary, we do not think the custodial interrogation of the petitioners is required in this case. Accordingly, we are inclined to allow the anticipatory bail.

Accordingly, in the event of arrest, the petitioners will be enlarged on bail on furnishing security bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of the arresting officer subject to the condition as laid down under Section 438(2) of the Code of

Criminal Procedure.

However, considering the allegations we believe that the movement of the petitioners is required to be restricted. The petitioners shall stay outside the jurisdiction of Sagarpara Police Station. They shall not enter such jurisdiction except to meet the investigating officer of this case or attending the court. The petitioners shall meet the investigating office once in a week until further order.

In the event the petitioners fail to comply with the condition as enshrined hereinabove, the bail shall stand automatically cancelled.

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

(Jay Sengupta, J.)

(Soumen Sen, J.)