

16.09.2020

BP
Sl.45

CRM 6661 of 2020
With
CRAN 1 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Dinhata Police Station Case No. 475 of 2019 dated 05.11.2019 under Sections 441/326/307/34 of the Indian Penal Code.

In the matter of : Santu Barman & Ors.....petitioners

Mr. Sudip Guha
..for the petitioners.

Mr. Sourav Ganguly
Mr. Anindya Biswas
..for the State.

Having heard the learned advocate for the petitioners and the learned P.P. in-charge on behalf of the State and on careful consideration of the nature of injury as described in the injury report, we are of the view that prima facie the ingredients of offence under Section 320 of the Indian Penal Code do not attract against the petitioners. There is also no satisfactory prima facie evidence in support of the allegation under Section 307 of the Indian Penal Code. The co-accused persons are enlarged on anticipatory bail. Therefore, the petitioners are also entitled to be released on

anticipatory bail.

Accordingly, we allow the prayer for anticipatory bail.

In the event of arrest, the petitioners shall be released on bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of like amount each, to the satisfaction of the arresting officer of the case.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being C.R.M. 6661 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Bibek Chaudhuri, J.)