

01-10-2020
Subha
Item no.29
Bail Allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 6770 of 2020

Binoy Krishna Biswas @ Binoy Biswas

-vs-

The State of West Bengal
(Via Video conference)

In Re: An application for anticipatory bail under **Section 438 CrPC** apprehending arrest in connection with Hanskhali P. S. Case No.161 of 2020 dated 26-04-2020 under Sections 448/323/326/506 of the Indian Penal Code.

Mr. Prabir Majumder

...for the petitioner.

Ms. Sukanya Bhattacharya
Ms. Sujata Das

... for the State.

It is submitted by the learned advocate for the petitioner that there is a family dispute between the petitioner and other members of the family. Therefore, out of grudge, the petitioner has been falsely implicated in the present case.

Ms. Bhattacharyya, learned advocate appearing for the State opposes the prayer for anticipatory bail and produces the case diary along with the injury report. She also draws the attention of this court to the injury report.

After hearing the submissions of the learned advocates appearing for the respective parties and considering the materials contained in the case diary, specially the injury report, we are of the opinion that although a case has been made out, but the same do not warrant custodial interrogation of the present petitioner. Accordingly, the prayer for anticipatory bail of

the present petitioner is allowed.

As such, in the event of arrest, the petitioner shall be released on bail, upon furnishing bond of Rs.10,000/- (Rupees ten thousand only) with two sureties of like amount each, to the satisfaction of the arresting officer and on condition that he shall not tamper with the evidence of the case or intimidate the witnesses.

The aforesaid order of anticipatory bail are subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

[Subhasis DAsgupta, J]

[Samapti Chatterjee, J]

