

20.10.2020

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CRM 6797 of 2020
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chandannagar P.S. Case No.42 of 2020 dated 07.06.2020 under Sections 448/341/323/326/307/354/504/506/34 of the Indian Penal Code.

And

In the matter of: **Raju Khatik.**

....Petitioner.

Mr. B. Bhattacharya

...for the Petitioner.

Mr. Madhusudan Sur

Mr. Aniket Mitra

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that there was an altercation with the complainants about following a long-standing property dispute and the parties resorted to jostling and pushing and the incident turned physical. However, the petitioner claims that minor injuries were received on both sides and an exaggerated complaint has been filed.

The State refers to the injury reports. At least one of the injuries suffered appears to be somewhat serious. However, notwithstanding such injury, it does not appear that the petitioner had attempted to maim or kill any person and it only appears that the matter got out of hand.

Considering the nature of the incident and the extent of the injuries suffered, there may not be any need to take the petitioner into custody at this stage.

In the event of arrest, the petitioner will be enlarged on bail on furnishing security of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount, one of whom must be local, to the satisfaction of the Arresting Officer. In addition, the petitioner will abide by the conditions in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 6797 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Arijit Banerjee, J.)