

17.11.2020
Item No. 05
k.b./b.r.
allowed
Crt.11

C.R.M. 6809 of 2020
(via video conference)

In Re:- An application for Anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kushmundi P.S. Case No. 67 of 2020 dated 08.08.2020 under Section 384 of the Indian Penal Code, 1860.

And

In Re : Rohimul Islam petitioner

Ms. Jenia Rudra
.....for the petitioner.

Mr. Tanmoy Kumar Ghosh
Mr. Arindam Sen
....for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

Learned advocate for the petitioner submits that the petitioner has been falsely implicated in this case.

Learned advocate for the State opposes the prayer for anticipatory bail and submits that 24 batteries were recovered from the possession of the petitioner.

We have taken into account the materials placed before us and the Case Diary and on query learned advocate for the State submitted that whatever has been stated so far as the subject matter of the case is concerned has been seized and

there is no scope for further recovery. Learned advocate for the State further submits that there are no other case pending against the present petitioner.

We are of the opinion that having regard to the facts of the case prayer for anticipatory bail may be allowed.

In the event of arrest, the petitioner may be released on anticipatory bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of like amount each, one of whom must be of local to the satisfaction of the arresting officer subject to compliance of the provision under Section 438(2) of the Code of Criminal Procedure with the further condition that the petitioner would meet the Investigating Officer of the case regularly for a period of two months on and from 20.11.2020, in default, the present order would be infructuous.

The application for anticipatory bail is, thus, allowed.

CRM 6809 of 2020 stands thus disposed of.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)