

CRM 6892 of 2020

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Sahebganj Police Station Case No. 166 of 2020 dated 06.04.2020 for alleged offence punishable under Sections 448/427/326/307/34 of the Indian Penal Code, 1860 corresponding to G. R. Case No. 176 of 2020.

Siben Barman @ Shiben Chandra Barman & Anr.
Vs.
The State of W. B.

Mr. Hillol Saha Podder
.....For the Petitioners
Mr. Arun Kr. Sarkar
.....For the State

The petitioners undertake to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through videoconference on the basis of such undertaking.

The learned advocate for the petitioners submits that the petitioners are innocent of the charges and similarly placed accused have been granted anticipatory bail. The learned advocate for the petitioners further submits that charge sheet having been filed, thus no custodial detention of the petitioners would be required.

The learned advocate for the State opposes the prayer for anticipatory bail and submits the injury report.

We have considered the injury report and find that the injury is simple in nature.

Having regard to the fact that charge sheet having been filed we are of the opinion that custodial detention of the petitioners is not

required.

Accordingly, the prayer for anticipatory bail is allowed. As such in the event of arrest the petitioners shall furnish a bond of Rs.10,000/- each with two sureties one of whom must be local to the satisfaction of the investigating officer and on condition that they would not tamper with the evidence and/or intimidate any witness.

The aforesaid conditions are in addition to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

CRM 6892 of 2020 is disposed of.

(Tirthankar Ghosh, J.)

(Samapti Chatterjee, J.)