

09.10.2020
DL No.36
Court No.23
am

**CRM 6938 of 2020
CRAN 1 of 2020**

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Margram** P.S. Case No.**75/2020** dated **04.06.2020** under Sections **304/34** of the Indian Penal Code.

And

In the matter of: **Prasanta Das @ Prashanta Das**

....Petitioner.

Mr. Bitashok Banerjee

...for the Petitioner.

Mr. Bidyut Kumar Roy,

Ms. Rita Datta

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, the application being CRAN 1 of 2020 is disposed of.

The learned Counsel appearing on behalf of the petitioner submits that he has been falsely implicated. It is submitted that there was an altercation between the petitioner and the victim.

The learned Counsel appearing on behalf of the State however opposes the prayer for anticipatory bail of the petitioner.

Having considered the materials on record available in the case diary as well as the statement recorded under Section 164 of the Code of Criminal Procedure along with the injury report and the extent of complicity and involvement of the petitioners in the

commission of the offence, we feel that the custodial interrogation of the petitioner is not necessary. In the event of arrest the petitioner shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer subject to the condition as laid down under Section 438(2) of the Cr.P.C.

It is further directed that the petitioners shall meet the I.O. of the case once a week and shall co-operate with the investigation and shall not leave the jurisdiction of Margram Police Station without the leave of the trial court.

The application for anticipatory bail being CRM 6938 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)