

28.09.2020
SL No.31
AP

CRM 6982 of 2020
With
IA No: 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 **Pradhan Nagar** P.S. Case No.**602 of 2020** dated **31st August, 2020** under Sections **341/323/325/307/354(B)/34** of the Indian Penal Code.

And

In the matter of: **Nekilal Das @ Neki Das & Ors.**

....Petitioners.

Mr. Shibaji Kumar Das,
Ms. Rupsa Sreemani

...for the Petitioners.

Mr. Aniruddha Biswas

...for the State.

Petitioners undertake 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 IA No: CRAN 1 of 2020 is disposed of.

It is submitted on behalf of the petitioners that there was a free fight between the parties and case and counter case was registered.

Learned lawyer for the State opposes the prayer for anticipatory bail and produces the case diary.

We have considered the materials on record. We find that the victim suffered eye injury and fracture of nasal bone and was admitted to hospital. Keeping in mind the grave nature of injuries and the prima facie role of the petitioner Nos.1 and 3 in the assault of the victim, we are not inclined to grant anticipatory bail to the petitioner Nos.1 and 3.

However, in view of the extent of complicity of the petitioner Nos.2, 4, 5 and 6 in the alleged crime and as the possibility of false

implication due to pre-existing enmity cannot be ruled out, we are inclined to grant anticipatory bail to the petitioner Nos.2, 4, 5 and 6.

Accordingly, we direct that in the event of arrest, the petitioners namely (2) Premshila Das @ Shila Das; (4) Roshni Das @ Saraswati Das; (5) Rajani Das @ Laxmi Das @ Lakshmi Kumari Das and (6) Amar Chand Das @ Amar Das @ Aman Das be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Kausik Chanda, J.)

(Joymalya Bagchi, J.)